2 November 2026

Statutory Planning Committee Meeting - 4 November 2026
File number TPS/2010
Agenda Item 4.1 and 4.2
Amendments No. 166 and 169 to City of Gosnells Local Planning Scheme No. 6 – for Final Determination
Purpose For recommendation to Minister

SUBMISSION BY THE URBAN BUSHLAND COUNCIL WA

SUMMARY

The Urban Bushland Council WA (UBC) is opposed to the Amendments 166 and 169 to City of Gosnells Local Planning Scheme No.6 in their current forms which would see land rezoned from rural to industrial adjacent to one of the most environmentally significant places remaining in Perth – the Greater Brixton Street Wetlands (GBSW) in the Yule Brook catchment.

In 2024 the EPA Panel concluded that the amendments are unlikely to be consistent with the EPA objectives for inland waters, flora and vegetation and terrestrial fauna or the principles of the EP Act. This fact has not changed.

Stated more simply - these amendments will have irreversible damaging impacts on the Greater Brixton Street Wetlands (GBSW) – a 'Jewel in the Crown of a Global Biodiversity Hotspot'.

The international significance of in the area along the Yule Brook cannot be underestimated. It contains almost half of the plant life in Perth region in only 1% of the land. Over 850 plant species in only 500ha. Yet ongoing clearing and degradation of the land for decades continues to diminish the size and health of the wetlands putting them increasingly at risk.

Furthermore, the Amendments proposed are directly at odds with a number of relevant State Planning Policies where the objectives are to protect and conserve the environment and to develop in a sustainable manner for the benefit of present and future generations. It is the responsibility of the WAPC and the Minister for Planning to uphold these policies. This means that these Amendments, in their current forms, should not be approved.

The Urban Bushland Council calls for much greater environmental protection of, and sustainable development around, the GBSW and Yule Brook corridor.

UBC calls on the Minister for Planning to:

- Not implement the Amendments 166 and 169 as proposed
- Revise the Amendments and adopt The Beeliar Group's Vision of a Yule Brook Regional Park in which 100 metre buffers are created around all Conservation Category Wetlands, Threatened Ecological Communities and the Yule Brook riparian zone, a move that will limit the industrial area by just 27%. Within the industrial zone, conditions should specify a transition from light industrial land uses at the Regional Park edge. There is great public interest in creating a new regional park. UBC proposed a similar concept way back in 2005 (Foothills Regional Conservation Park- file available on request).
- Implement a comprehensive water management program to mitigate industrial activities and preserve the groundwater quality and levels prior to any approvals
- Implement EPA's recommendations for high level of protection and a coordinated management approach for the Yule Brook catchment area with a framework that considers cumulative effects and includes strategic restoration and enhancement. This means key conservation area should be identified and brought into the conservation estate via a consolidated acquisition and expansion approach, rather than the piecemeal approach currently being used.

- Create and implement a strategic biodiversity conservation plan for the Perth and Peel regions with the goal of protecting, conserving and enhancing nature vegetation and wetlands and restoring ecological connectivity. It would protect not only Matters of National Environmental Significance but local biodiversity as well. A strategic biodiversity conservation plan is needed to avoid the current piecemeal approach to environmental conservation in planning and should be integrated into the planning process alongside the State Planning Strategy 2050 and 'Directions 2031 and Beyond'.

UBC would also like to note our objection to these agenda items being confidential. The committee is meeting today in secret to make recommendations for the Minister for Planning on an issue that has huge public interest. If this is a procedural issue, it is wrong and should be changed for a more open and transparent planning process.

KEY MATTERS IDENTIFIED BY THE DEPARTMENT OF PLANNING, LANDS AND HERITAGE

The remaining part of the submission deals with each of the key matters identified by DPLH and shows how the Amendments are inconsistent with relevant State Planning Policies.

• **Whether the proposed Business Development zone is appropriate to align the City of Gosnells Local Planning Scheme No.6 with the Metropolitan Region Scheme**;

Response:

UBC's understanding of Local Planning Schemes is limited, however this seems to be the appropriate mechanism to guide industrial development in alignment with the MRS. However, there are some environmental and planning concerns.

The Amendments must not be approved unless they align with the relevant State Planning Policies – which currently they do not (as highlighted in this document). If approved (preferably in a revised form), the Local Planning Scheme must list all of the environmental conditions necessary for such an Amendment to be approved.

Are there additional mechanisms needed to ensure good environmental outcomes and management? This is noted by the Appeals Convenor (*The Appeals Convenor Report 2024)* who *"*concluded that the existing scheme provisions within CoG's TPS 6 scheme and modifications to scheme text proposed in the ERD do not demonstrate that environmental protection outcomes for the significant values identified in the amendment area can be solely managed under the planning decision making framework."

• **Whether the Business Development zone provides an appropriate framework to guide future planning of the land by way of structure plan**;

Response:

UBC's understanding of Business Zones is limited but structure plans seem to be the appropriate planning tool to outline the specific land use and detail the key infrastructure and subdivision requirements.

However, a structure plan on its own is an insufficient tool to guide such complex planning. Are there other tools that can sit alongside this?

UBC is concerned that the City of Gosnells could be the sole "Responsible Authority" for the structure plan. The development of the structure plan should include oversight from DWER and DBCA to ensure the environmental issues are dealt with properly both at a local and regional level. The local government may not have the expertise or the resources to do this alone. As the EPA pointed out in their assessment, mitigation strategies proposed by the City of Gosnells were not comprehensive.

The issue of whether industrial works can begin before the area is sewered is also worrying. In addition, immediate and future activities could include the storage of solid and liquid products (including hydrocarbons) and waste that have the potential to discharge pollutants into the environment. This is a major concern for GBSW. It is likely more of the case that when not if a spill will happen. Stronger mitigation plans must be created – before any Amendments are approved.

• **Whether the proposal appropriately addresses matters of environmental value and significance within and adjacent to the amendment area in accordance with Ministerial Statement No.1239**;

Response:

Even if every single condition outlined in Ministerial Statement No. 1239 can been achieved, the Amendments should not be approved by the Minister for Planning because these proposals will still result in environmental and planning impacts that are unacceptable and unnecessary.

UBC stands by the EPA Panel's conclusion that the amendments are unlikely to be consistent with the EPA objectives for inland waters, flora and vegetation and terrestrial fauna or the principles of the EP Act.

Furthermore, the Amendments are not consistent with the objectives and measures of relevant State Planning Policies as highlighted and described later in this submission.

It is the Minister for Planning's role to uphold these the State Planning Policies and ensure proposals meet the definitions of sustainable development and protect, conserve and enhance the natural environment. It is the responsibility of the Minister for Planning and the government to protect Perth's unique biodiversity and sense of place for its own sake and for the sake of future generations prosperity, health and well-being.

As previously stated, UBC would like the Amendments revised to align with the The Beeliar Group's vision of a regional park in which 100-meter buffer zones are implemented around the wetlands and the Yule Brook Regional Park is created.

It's important to note that the conditions listed by the EPA will only diminish the impact of the proposal, not prevent long-term and permanent impacts. These Amendments will result in the loss of local native vegetation and biodiversity and it is unpredictable what the long terms impacts will actually be on GBSW because of the complex hydrology in the area.

It is also doubtful that offsets will be successful – given the track record of offsets in the state which has resulted in a steady decline of native vegetation, local biodiversity and tree canopy cover in Perth over decades.

When assessing the environmental impacts of this proposal and pointing out that the outcomes area unlikely to be consistent with the EPA objectives for inland waters, flora and fauna under the EP Act, the EPA Panel considered:

- "the unique and complex hydrology of the GBSW and surrounding wetlands
- the critically endangered, endangered and vulnerable statuses of significant flora and TEC and their rarity and risk of extinction in the context of the amendments likely impacts
- the endangered and vulnerable statuses of the black cockatoo species
- cumulative threats and pressures (including historical habitat losses, a drying climate, altered hydrology, fragmentation and edge effects, weeds and surrounding industrial/commercial land uses)"

The EPA determined that the proposals would likely have cumulative impacts on the conservation of ecological integrity of the *Grevillea thelemanniana* population, Shrublands and Woodlands on Muchea limestone of the SCP TEC, black cockatoo habitat, and the long-term viability of other flora and fauna individuals within the GBSW.

Ecosystems, whether they be claypans, banksia woodlands, shrublands or grasslands must remain connected to each other via the hydrology and native vegetation that surrounds it. If the ground water is depleted or contaminated, if the creatures cannot move to other places to find food and shelter – especially in times of drought, disease or fire- the amazing life forms in GBSW could slowly die out. When most of the trees, shrubs, bird and insects disappear, an ecosystem no longer functions – and little more than a manicured, sterile parkland remains in its place.

In their assessment of the proposal, the EPA supported the retention of POS areas that specifically aim to conserve biodiversity, but stated this piecemeal approach would likely be inadequate to do so. Biodiversity

is much better protected through a consolidated acquisition and expansion approach. Such an approach should be created and implemented before revised Amendments are approved.

• Whether the amendment appropriately provides for the protection, conservation and enhancement of the natural environment, consistent with State Planning Policy No. 2.0 Environmental and Natural Resources Policy

Response:

State Planning Policy No. 2.0 Environmental and Natural Resources Policy acknowledges the Western Australia is one of the most biodiverse regions in the world, and that protection of the environment is of paramount importance if we are to maintain our lifestyle into the future.

It also mentions the concept of sustainability ensuring a balance between economic growth and the conservation and enhancement of our natural environment in order to provide a better quality of life for the present and into the future. Unfortunately, we have lost that balance and economic growth now takes precedent over conserving nature, like in the case of these Amendments. Much more needs to be done throughout planning to redress the balance – starting with improving these Amendments and greatly increasing the buffer zones around GBSW.

The Amendments are not consistent with the intent of the SPP 2.0 being at odds with the objectives and measures in the policy. It is worth reading the objectives and some of the measures to illustrate how at odds these Amendments are with them.

"The objectives of this policy are:

- to integrate environment and natural resource management with broader land use planning and decision-making;
- to protect, conserve and enhance the natural environment; and
- to promote and assist in the wise and sustainable use and management of natural resources."

It must be the responsibility of the Minister for Planning to uphold these policies.

The Amendments hold no guarantee to protect, conserve and enhance the natural environment i.e. the GBSW.

The amendments are at odds with many of the General Measures listed:

"Planning strategies, schemes and decision-making should:

- Avoid development that may result in unacceptable environmental damage.
- Actively seek opportunities for improved environmental outcomes including support for development which provides for environmental restoration or enhancement.
- Take account of the availability and condition of natural resources, based on best available information at the time.
- Protect significant natural, indigenous and cultural features, including sites and features significant as habitats and for their floral, cultural, built, archaeological, ethnographic, geological, geomorphological, visual or wilderness values.
- Take into account the potential for economic, environmental and social (including cultural) effects on natural resources.
- Recognise that certain natural resources, including biological resources, are restricted to particular areas and that these geographical areas or land types may need to be identified accordingly and appropriate provision made to protect the areas for the use of those resources.
- Take account of the potential for on-site and off-site impacts of land use on the environment, natural resources and natural systems.
- Support conservation, protection and management of native remnant vegetation where possible, to enhance soil and land quality, water quality, biodiversity, fauna habitat, landscape, amenity values and ecosystem function.

- Consider alternatives to land acquisition for conservation and landscape protection where limited or no public access is required.
- Take into account the potential for impacts from changes in climate and weather on human activities and cultural heritage including coastal and urban communities, natural systems and water resources.
- Consider any relevant accredited Natural Resource Management Regional Strategy, or catchment management strategies prepared by catchment groups and endorsed by State government agencies, with a view to integrating implementation of appropriate and relevant parts through town planning schemes and assessment of developments."

The Amendments are not avoiding unacceptable environmental damage – but could if revised. Improved environmental outcome could be sought and achieved. GBSW and some of the flora and fauna occur nowhere else – hence we cannot offset all of the impacts and local biodiversity will be unnecessarily lost. How has long term climate change impacts been considered?

Measures for Water Resources

"Planning strategies, schemes and decision making should:

i. Consider mechanisms to protect, manage, conserve and enhance:
    a. wetlands of importance, Ramsar wetlands and wetlands identified in any relevant Environmental Protection Policy;
    b. waterways…
ii. Take account of the availability of water resources to ensure maintenance of water quality and quantity for existing and future environmental and human uses.
iii. Encourage urban water management through water sensitive design approaches that better manage stormwater quality and quantity; that reduce the impact of stormwater flows to streams, wetlands and coastal waters; and that control or remove pollutants and nutrients so as to improve water quality, retain habitats, conserve water and provide for recreational opportunities and conservation functions through multiple use drainage systems.
iv. Ensure the provision of adequate setbacks between development and the foreshores of wetlands, waterways, estuaries and the coast, in order to maintain or improve the ecological and physical function of water bodies. Such setbacks will aim to maintain the natural drainage function, protect wildlife habitats and landscape values, lessen erosion of banks and verges, and facilitate filtration of sediment and waste associated with surface run-off from adjacent land uses, which may include retention or replacement of riparian vegetation."

The Amendments do not go far enough to protect the GBSW and its conservation values. Adequate buffer sizes are not provided.

Measure for Soil and Land Quality

"Planning strategies, schemes and decision-making should:

i. Recognise and consider land that is degraded or contaminated, or has the potential to become so, and facilitate its rehabilitation or remediation for appropriate future use.
ii. Ensure that land uses that may result in land contamination such as storage of chemicals, waste, other toxic materials or liquid fuel are not permitted unless it can be demonstrated that the proposed activities will not result in contamination of land or adverse effects on future land use.
iii. Identify existing and potential areas affected by salinity, acid sulphate soils or other severe land degradation problems and, where appropriate, facilitate measures such as promoting vegetation retention, replanting in groundwater recharge areas, and prevention of inappropriate development, in order to reduce impacts on land, buildings and infrastructure."

It is unclear to UBC if an appropriate plan for dealing with contamination of toxic substances has been put in place.

Measures for Biodiversity

"Planning strategies, schemes and decision-making should:

i. Consider mechanisms to protect areas of high biodiversity and/or conservation value, including:
    a. land vested in the Conservation Commission as national park, nature reserve, conservation park or other reserve, and land acquired and managed by the Department of Conservation and Land Management (CALM) pending formal reservation;
    b. land containing Threatened Flora or Threatened Ecological Communities (CALM database) or that which is habitat to Threatened Fauna;
    c. regionally significant vegetation within the Swan Coastal Plain area of the Perth Metropolitan Region as identified in Bush Forever (2000);
    d. areas formally recognised as having significance for conservation or biodiversity values by the State Government ….;
    e. nationally significant wetlands listed in the Directory of Important Wetlands in Australia (2001);
ii. Seek to avoid or minimise any adverse impacts, directly or indirectly, on areas of high biodiversity or conservation value as a result of changes in land use or development.
iii. Assist in establishing a comprehensive, adequate and representative conservation reserve system throughout the State for flora, fauna habitat, landscapes, waterways, estuaries and wetlands.
iv. Safeguard and enhance linkages between terrestrial and aquatic habitats which have become isolated, including the re-establishment of habitat corridors.
v. Assist the return of areas of high biodiversity conservation value to the public estate or otherwise ensure the protection of high biodiversity conservation values through mechanisms including planning controls or conservation covenants.
vi. Support the use of management plans to protect areas of high biodiversity conservation value in the long term."

The Amendments are inconsistent with these measures. The Amendments should be revised to better protect the TECs, critical foraging habitat of the black cockatoos and the ecological linkages. Buffer zones around the wetlands of 100m should be mandated.

UBC suggests that a strategic biodiversity plan be put in place to identify additional lands to be protected and ceded to the crown. Perhaps declare these lands a Class A Reserve? And/or put a conservation covenant in place over these lands so they are protected in perpetuity.

• **Whether the amendment appropriately considers the protection of sensitive water resources, vegetation, wetlands and waterways, consistent with State Planning Policy No. 2.9 Planning for Water**;

Response:

The amendments do not guarantee the protection of the GBSW, hence are not consistent with the objectives and outcomes of SPP 2.9 Water.

One of the key objectives of SPP 2.9 is "Protect and improve the environmental and the social, cultural and economic values of the state's water resources."

And some of the key outcomes of SPP 2.9 state:

1. "Planning and development maintains or enhances water quality and hydrological regimes to protect public health and support healthy ecosystems through the

- protection of sensitive water resources and other important environments;
- protection of existing vegetation and/or restoration of cleared or degraded vegetation, preferably with endemic species;
- appropriate siting and management of land uses; and

- maintenance of natural flows in waterways, groundwater levels and inundation of wetlands to sustain aquatic and terrestrial habitats through the delivery of appropriate stormwater and groundwater management systems."

2. "Waterways and wetlands have adequate foreshore areas and wetland buffers to protect, manage and conserve water quality, native vegetation, aquatic and riparian habitats, ecological linkages and associated biodiversity values."

The proposal poses no guarantee of the protection of GBSW. This could be done by modifying the proposal and setting aside adequate wetland. Furthermore, long-term hydrologic studies should be completed before revised Amendments are approved to prevent adverse effects on the groundwater quality, level and flow by activities related to industrial development.

As part of the EPA assessment, an independent peer review recommended the "collection of groundwater chemistry data, water balance and the need for developing a numerical model that can provide confidence in the understanding of the hydrological functioning of the GBSW and surrounds."

That negative impacts on the environment will be a certainty due to improper mitigation methods is also supported by the fact that the Appeals Convenor found no evidence in the Environmental Review Document (ERD) "*to demonstrate the effectiveness of water management strategies, currently deployed in MKSEA industrial precinct covered by CoG TPS Amendment 165, on preventing adverse impacts on the GBSW or Yule Brook. The ERD did not address the hydrological connectivity of current MKSEA industrial developed area, or lack thereof, with GBSW."*

The Amendments should not be approved as it. It is up to the Minster for Planning to uphold SPP 2.9 and protect GBSW.

• **Whether the amendment appropriately meets the requirements of State Planning Policy 3.7 Bushfire for land within Area 2**;

Response:

It is unclear to UBC whether a Bushfire Management Plan has been created and whether that meets the policy objective of SPP 3.7 to:

"Prioritise the retention of native vegetation for biodiversity conservation, environmental protection and landscape amenity."

This should be completed before any Amendments are approved.

• **Whether the amendment appropriately seeks to prevent conflict and encroachment between industrial and sensitive land uses, consistent with State Planning Policy No. 4.1 Industrial Interface**.

Response:

Not being privy to the documents, it is difficult to determine whether SPP 4.1 has been applied properly. Have the long-term risks and future land use plans been properly estimated (monetarily) and considered? How will these impact GBSW and people's health and well-being into the future?

Have the following issues identified in SPP 4.1 been modelled and presented to the Committee for consideration?

"The relevant planning decision-maker is responsible for considering:

- potential risks to health and amenity of people and the environment
- any future strategic land use plans for the area including potential long-term expansion of industrial land uses
- the best option for dealing with impacts at the interface of industrial land uses
- how to ensure a suitable transition is established between industrial and incompatible land uses.

Has the option of increasing the buffer zone around GBSW been presented? If not, why not?

Has the option of The Beeliar Group Vision for a new regional park along the Yule Brook Catchment been presented and considered? This would mean an increase in the buffer area around GBSW, still allowing ample industrial development but providing more protection for the wetlands.

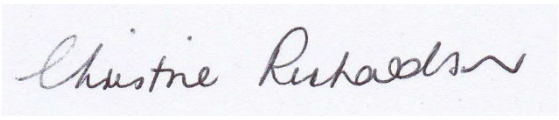
In conclusion

"The Greater Brixton Street Wetlands-Yule Brook wetland ecosystem is the most floristically diverse area on the Swan Coastal Plain Biogeographical Region." (A jewel in the crown of a global biodiversity hotspot – Editor Hans Lambers, Kwongan Foundation and the Naturalists' Club Inc).

It is up to the Minister for Planning to follow and uphold the objectives of the State Planning Policies to and reject these Amendments in their current from. It is up to the Minister to leave a legacy and protect and conserve this amazing place.

Please recommend to the Minister to create a new regional park in the Yule Brook catchment that includes 100-meter buffer zones around these irreplaceable wetlands.

Thank you for your consideration.



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