8 November 2026

Written Deputation to the Western Australian Planning Commission

Meeting: 11 November 2026
Agenda Item: 3.1 – North Ellenbrook (East) District Structure Plan (2022), Amendment No. 1
WAPC Reference: SPN/0879M-2

UBC position

The Urban Bushland Council WA Inc. (UBC) supports the intention to improve environmental protection through Amendment No. 1, but requests that the WAPC not approve the amendment in its currently recommended form without stronger conservation and groundwater safeguards.

The North Ellenbrook East DSP covers approximately 500 hectares. The amendment identifies a further 18.1 hectares of potential local reserves, principally for black cockatoo habitat, alongside other local reserve changes and possible road upgrades. These are welcome improvements, but they remain insufficient when approximately 54 hectares of native vegetation, including portions of threatened ecological communities, are still expected to be impacted.

UBC is disappointed that the substantial environmental concerns raised by conservation groups and others during public consultation have resulted in little change to the amendment as now recommended.

UBC, Swan Communities Environmental Alliance, Friends of the Vines Bushland and the Blackadder/Woodbridge Catchment Group all raised concerns about the adequacy of vegetation protection, fragmented conservation reserves, groundwater and wetland impacts, and the risks of deferring essential environmental investigations to later planning stages. These concerns were reinforced by the City of Swan's recommendation for stronger reserve protection and DBCA's warning that deferring environmental assessment could leave significant values inadequately protected.

Yet the eight recommended modifications largely involve changes to wording, references and document arrangements. They do not provide additional mapped conservation protection or strengthen the groundwater safeguards.

UBC considers that the consultation process identified significant and credible environmental risks that remain unresolved. We believe the WAPC should not accept the absence of substantial modifications as evidence that those concerns have been in any meaningful way addressed.

We also ask the Commission to consider the following matters before determining the amendment.

1. The proposed modifications do not sufficiently strengthen conservation protection

The officer recommendation proposes eight modifications. Most concern clarification, updating the DSP documents and reorganising the environmental provisions. Importantly, proposed Modification 5 deletes from the Part One Implementation Section the express requirement for future local structure plans to demonstrate the habitat retention targets identified on the DSP map and in the Part Two Addendum.

We recognise that related provisions are proposed to be incorporated into Part Two. However, it is essential that this restructuring does not weaken enforceable habitat retention requirements.

UBC believes the amendment should expressly require protection of at least the identified habitat retention outcomes, with any alternative arrangement independently demonstrated to deliver an equivalent or superior ecological result. The requirement of avoiding habitat loss must be an input parameter into future development design.

2. Western Swamp Tortoise habitat at Lots 29–32 Maralla Road must be secured

This is UBC's most significant concern arising from new information since this public consultation.

The EPA's June 2026 review of the Western Swamp Tortoise Environmental Protection Policy identifies a wetland on the south-western boundary of the EPP area as ancillary habitat and potential drought refuge for this Critically Endangered species. The EPA specifically identifies the northern portions of Lots 29–32 Maralla Road. In the draft it declined to expand the EPP boundary partly because it considered this land could be protected through the North Ellenbrook East DSP and associated planning mechanisms.

The protection of this wetland is therefore fundamental to the EPA's environmental assessment reasoning, not simply an optional improvement to the DSP.

UBC requests that the WAPC secure the full reserve area, including necessary buffers and hydrological support areas, through binding planning provisions. The area must not subsequently be reduced, fragmented or compromised by drainage infrastructure, filling, roads, asset protection zones or urban development.

The EPA review also recommends monitoring water quality and quantity within and upgradient of the policy area, including the drought-refuge wetland. These requirements should be reflected in the DSP framework.

Our supplementary submission to DPLH of 19 July specifically raised these matters. We cannot see that the WST EPP review findings have been incorporated into Amendment No. 1.

3. Native vegetation and black cockatoo habitat remain inadequately protected

The amendment does not eliminate the substantial loss of remnant vegetation and black cockatoo habitat anticipated through implementation of the DSP.

UBC supports the City of Swan Black Cockatoo Conservation Action Plan and seeks no net loss, preferably net gain, of Carnaby's black cockatoo food resources. We request that all mature food trees and habitat trees be assessed before development layouts are finalised, and that the most valuable existing foraging habitat and ecological linkages be retained.

The WAPC report acknowledges that the proposed reserve within Lot 110 conflicts with the Tonkin Highway interchange footprint. Furthermore, the environmental assessment addendum considers the interchange impacts separately from the DSP's residual-impact calculations.

UBC therefore seeks a consolidated assessment showing how much habitat will remain after the interchange and other infrastructure requirements are included.

We also note the unresolved questions about Lot 10 Sawpit Road and the location of black cockatoo roost SWABULR005 within Lot 8247. Reserve boundaries should be informed by accurate field surveys, not left vulnerable to later reductions. The City of Swan's recommendation for stronger Regional Open Space protection and DBCA's warning about the risks of deferred assessment warrant greater weight in the Commission's decision.

4. Groundwater and wetland risks remain unresolved

The WAPC report acknowledges concerns about rising groundwater, flooding and cumulative environmental impacts, but concludes that no changes to the existing District Water Management Strategy are required. UBC considers this an inadequate response to the known risks and available evidence.

Recent experience in Brabham, Dayton, Henley Brook and neighbouring areas demonstrates the risks associated with urban development in landscapes characterised by shallow groundwater, sand-over-clay soils, extensive filling and altered drainage. These impacts can emerge over years and extend well beyond individual development sites, affecting both homes and remnant vegetation.

Given the WAPC's September 2026 decision to lift urban deferment, it is now particularly important that updated district-scale and cumulative groundwater assessments be required before local structure plans and subdivision approvals proceed.

UBC seeks enforceable groundwater-level controls, protection of natural wetland hydroperiods, baseline monitoring, publicly reported performance measures and adaptive management arrangements capable of identifying and preventing environmental harm over the medium term.

COPY

5. Road infrastructure must not undermine conservation commitments

UBC remains concerned about potential road connections, the Tonkin Highway interchange and the proposed grade-separated rail crossing at Maralla Road. The WAPC report itself recognises that a possible future eastward extension of Maralla Road may involve traversing the Western Swamp Tortoise EPP area and crossing Ellen Brook. No future road connection should be permitted to compromise these environmental values. Environmental feasibility, habitat connectivity, hydrology and fauna movement must be established before road corridors are finalised.

Requested WAPC decision

UBC requests that the Commission defer final approval until the outstanding conservation issues are resolved, or require additional modifications that:

1. Legally secure the Lots 29–32 Maralla Road wetland and associated potential Western Swamp Tortoise habitat as a binding minimum conservation outcome.
2. Retain explicit, measurable black cockatoo habitat protection requirements in the DSP Implementation Section and apply the City of Swan Black Cockatoo Conservation Action Plan.
3. Require updated ecological surveys and consolidated habitat accounting that incorporates the Tonkin interchange and other infrastructure impacts.
4. Require updated district-scale groundwater modelling, enforceable protection of wetlands and groundwater-dependent vegetation, and funded long-term monitoring before further detailed development approvals.
5. Protect ecological linkages and prevent later road, drainage or development design from diminishing conservation outcomes.

Conclusion

The WAPC has an important opportunity to ensure that commitments made to the EPA are translated into lasting environmental protection.

The additional reserves are a useful improvement, but the challenge is to ensure that they genuinely protect remnant vegetation, Carnaby's black cockatoo food resources, Western Swamp Tortoise habitat and the hydrological systems on which these depend.

Deferring essential environmental decisions until development layouts are established risks repeating the harmful outcomes already emerging elsewhere in the Swan Urban Growth Corridor.

UBC respectfully asks the Commission to strengthen the amendment before final approval.

Yours sincerely,

Christine Richardson
Chairperson
christine.richardson@bushlandperth.org.au

Urban Bushland Council WA Inc
City West Lotteries House
2 Delhi Street
West Perth WA 6005
ubc@bushlandperth.org.au
www.bushlandperth.org.au

COPY