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## **Metropolitan Region Scheme Amendment 1280/41: Mangles Bay Marina Submission by Urban Bushland Council WA Inc.**

### **Summary**

The Urban Bushland Council WA is opposed to the major MRS Amendment 'to rationalise various zones and reserves and Bush Forever Site 355 in the MRS' and recommends that it not be approved and that it be rejected in full. We strongly object to the removal of 43.16 ha of Bush Forever site 355.

### **The proposal**

The proposed rezoning has been determined as a 'major amendment' because of Amendment to Region Schemes DC 1.9 where canal estate developments will be dealt with as 'major' amendments due to their complex and technical nature.' Also the proposal for the construction of a new marina (and associated residential and commercial facilities) is considered a substantial/regional change in the MRS.' (p 9 Amendment Report)

The proposal is to allow for a change in use of the land from Bush Forever and Regional Parklands to Urban development/housing.

### **Bush Forever site protection**

The tragedy and irony of the proposed change of zoning from 'Bush Forever and Regional Parklands' is obvious. The proposal to dig out the Bush Forever site for a marina is extraordinary. The Pt Peron area was set aside for the purpose of conservation and passive recreation.

The Urban Bushland Council WA has been a champion for bushland and wetland protection since its formation twenty-three years ago. Protection and management of Bush Forever sites, as intended and endorsed by the whole of state government Bush Forever plan, has been an enduring challenge for the Council for over fifteen years.

In the foreword to the Bush Forever documents the Minister for the Environment at the time, Cheryl Edwards MLA wrote:

*Bush Forever is about protecting the quality of our environment. It is also about consultation, evaluation, negotiation and in some cases compromise, to create opportunities for the shared protection and management of regionally significant bushland by government, individual landowners*

*and the community.*

A compromise in this case would be the support of the already approved Port Rockingham Marina and full protection of Bush Forever Site 355 which is already in public ownership. The site is regionally significant bushland and should remain as such according to the Bush Forever plan. The marina proposal at Rockingham would not have the unacceptable environmental impacts and risks of the Mangles Bay Marina. Thus the principle of avoidance by using an alternative site for a marina should be invoked.

### **Quindalup Dunes vegetation and wetlands**

The Quindalup Dune system is fragile. 'Bush Forever – Keeping the Bush in the City,' Volume 2 describes this system. (Part B from page 369.) It is stated that most of the Quindalup system within the Perth Metropolitan Area is within 500 metres of the coastline. *'As a consequence specific criteria have been identified which should be taken into account in selecting conservation areas in the region along the coast in the metropolitan area which primarily encompasses the Quindalup dunes'* (p 370).

Some of the factors relevant to the protection of the Quindalup dune system are

- Natural processes relating to dune formation are truncated due to development boundaries
- Incursion of car-parks, tracks for beach access and a large edge to area ratio, opens the area to rapid wind erosion and weed invasion resulting in inevitable degradation of dune formations as well as vegetation
- There is a limited variety of adjacent habitats which are insufficient in area for many species
- Reserves rarely link the Quindalup and Spearwood Dunes and never the Bassendean Dunes
- Only portions of shorelines are present in narrow bands backed by an alienated landscape

So, because of these threats and constraints, and because of the significant geomorphology and vegetation, this site became a Bush Forever site for protection so that *'our children and future generations will be able to appreciate and enjoy our natural heritage places.'* It was also set aside as part of the 'CAR' reserve system on the Quindalup dunes, and to protect the coastline dunes which are highly vulnerable to the active processes on the coast.

As reported in the Amendment Report, *'the vegetation within the amendment area ranges from 'Very Good' to 'Good to Degraded'*. The proposed amendment area contains Bush Forever site 355 and is part of the Rockingham Lakes Regional Park system, and a portion of Threatened Ecological Community (TEC) SCP Type 30a is present. Destruction of these natural and irreplaceable assets in the Regional Park is unacceptable. Indeed the proposal to rezone is contrary to the Regional Park planning policy.

### **Mitigation equals net loss**

The Amendment Report notes the conditions set by the State Minister for Environment, a major component being mitigation for the loss of areas of Parks and Recreation Reserve and Bush Forever site 355. However the fact remains that there will be **a net loss** of the Quindalup dune ecosystem in an area which was already set aside (and publicly owned) for public appreciation and passive recreation and conservation.

There will be massive destruction and disturbance of the natural environment if this proposal proceeds. The environmental offsets and mitigation proposed are nonsense. In this situation the first principle of offset policy – namely avoidance – should have been invoked. Also the compounding effect of climate change with increased extreme weather events such as coastal storms including extreme tides or tidal waves is significant.

### **At variance to State Planning Policy 2.6: State Coastal Planning Policy**

Much of the Pt Peron Bush Forever site and the area proposed for canal development is very low lying (<2m above sea level). As stated on p 4, the SPP 2.6 approach is to avoid coastal inundation risk from ocean storm surge and climate change.

The rezoning to allow for canal development is not consistent with this policy SPP 2.6 as it will allow storm surges to reach inland and close to Lake Richmond whose surface is only ~2m above sea level. This risk of sea water contamination of the freshwater Lake Richmond would have catastrophic consequences for the critically endangered thrombolites of the Lake, remembering that this population of thrombolites is unique in the world. (See below). As a living museum example of the beginnings of life on earth, this precious asset must not be put at risk.

**Inconsistency with SPP 2.6 is reason alone for the rezoning to be ‘not allowed’ and thus rejected by the WAPC and the Government.**

### **Tuart trees**

The massive old Tuart trees adjacent to the proposal are one of the world’s rarest forest trees. They rise to great heights even while growing in the extremely impoverished soils and they help maintain stability in the dunes. These trees should all be retained and protected and cherished.

### **“4 Discussion”**

Under ‘Strategic context’ (Amendment Report) we read that

*‘Future areas for urban and industrial development have been determined in conjunction with the State Government’s current Strategic Assessment of the Perth and Peel Regions, in order to avoid and protect areas which have significant regional environmental value. The draft Framework identifies the amendment area as “Urban Expansion”, and this amendment therefore contributes to implementing that document’s recommendations.*

The Amendment **does not** contribute to implementing that document’s recommendations. The logic in the above statement is flawed as it is self contradictory. Why is the draft ‘South Metropolitan Peel Sub-Regional Planning Framework’ identifying the amendment area as ‘Urban Expansion’ when the aim of the framework and of the Strategic Assessment is to *‘protect areas which have significant regional environmental value’?*

This is a fundamental mistake in planning which fails to recognise and protect the intrinsic value of our wonderful and intricately connected natural areas. It must be corrected so that the area is protected and is not re-zoned – because it certainly is regionally significant: *ie* it does have very significant regional environmental value.

### **Lake Richmond thrombolites – critically endangered**

Lake Richmond contains the only known example of the type of critically endangered microbial community called thrombolites which are formed by a complex association of several species of bacteria and algae that remove minerals from the fresh water to build up new ‘rock’ material.

Lake Richmond is a relatively deep freshwater lake, and is the closest freshwater lake to the ocean anywhere in Australia. It is ~14m deep but its surface is only a couple of metres above sea level. It provides habitat for the critically endangered thrombolites Threatened Ecological Community (TEC).

**The Lake Richmond thrombolites are a ‘living museum’ of the microbial communities which are the origins of life on earth. They date to the pre-Cambrian period 3.5 billion to 600 million years ago. Any risk to such a special natural asset of evolutionary significance is totally unacceptable.**

The proposed canal development adjacent to Lake Richmond will irreversibly change the stratigraphy and groundwater hydrology, and will bring saline seawater close the edge of the freshwater of Lake Richmond in a very flat landscape. Rezoning to allow canal development therefore threatens these living thrombolites. When the salinity and water quality of Lake Richmond changes, the thrombolites will almost certainly die. Any rezoning to allow this change in the landscape will introduce an unacceptable risk to this unique thrombolite community. Once destroyed it is gone forever.

Signage at the lake says it is so threatened that it is '*under extremely high risk of destruction in the immediate future.*'

The construction of canal walls would be but a few hundred metres from the lake in a flat landscape. The changes to the hydrogeology are irreversible and are largely unknown – despite the advice given to the EPA and their lack of consideration of this risk. The risk of salination and change in water quality in Lake Richmond is too great to be contemplated.

**By failing to recognise this catastrophic risk, the WAPC and the WA Government (and the developers) will almost certainly be responsible for destruction of the only known population of this type of thrombolite on earth.**

### **Seagrass**

As the UBC reported in its appeal against the EPA Report 1471, approximately 80% of seagrasses have been historically lost in Cockburn Sound as a result of either change to water quality or direct physical impacts from the construction of facilities and anchor damage. The EPA has effectively approved further damage with the justification that offsets compensate for this loss.

### **EPA 'not assessed' and 'it is not necessary to provide any advice or recommendations.'**

The 1993 EPA decision, Bulletin 693 which assessed an in-sea marina rather than the proposed 'land' marina concluded that '**the proposed marina at Mangles Bay is environmentally unacceptable and should not proceed**'. This was based on the damage to the seagrass in the bay and the significance of preserving the small amount of seagrass that remains in Cockburn Sound.'

The outgoing Chairman of the EPA, Dr Vogel, stated in the EPA draft Report on the Perth Peel @ 3.5 million"

*While mistakes have undoubtedly been made, Western Australia also has a history of taking bold steps to protect and repair our natural environment.*

(EPA Draft Report on Perth and Peel @ 3.5 Million page 3)

**The rezoning to enable this development would be another mistake. We urge the WAPC to take a bold step by rejecting the rezoning proposal.**

### **Hearing for the proposed Amendment**

YES, we wish to speak at the hearings

I will be represented by myself. Phone 9420 7207 (leave a message) or (h)9444 5647

We would prefer our hearing to be conducted in Public.

Vice President

29<sup>th</sup> October 2015