



1st July 2020

Secretary WAPC
Locked Bag 2506
Perth WA 6001

Dear Secretary

West Piara Urban Precinct - MRS 1369/57
West Piara High School Site -MRS 1370/57

The Urban Bushland Council WA Inc. (UBC) is interested in, and makes the following submission on the two proposed amendments - MRS 1369/57 and MRS 1370/57.

The UBC submits that more information should have been provided in the MRS document. As this writer has assisted a botanist in surveys for rare flora around Warton Road many years ago, the fact that the area has a high water-table and contains wetlands and that endangered flora species grow in the area, is well known.

An MRS amendment is a broad instrument, and some of the precious areas and issues on the sites are not suitably identified. Once a site is rezoned, and if development is not approved because of issues, a further rezoning is problematic.

Our concern is that future planning will not adequately protect these precious areas, particularly when viewing housing developments adjacent to the current MRS Amendment sites, that are flattened without a tree remaining, and are sand or limestone filled. All trees should not be removed.

A basin about 6 metres wide adjacent to the proposed development area is full of water. This means the area is a hydrologically sensitive wetland – palusplain wetlands.

EPA preliminary environmental factors

The EPA has identified preliminary environmental factors relevant to MRS 1369/57 and MRS 1307/57 as: Inland Waters, Flora and Vegetation, Terrestrial Fauna and Social Surroundings.

The EPA has also explained that there exist *'a number of environmental issues which require resolution **prior to the initiation and referral of future local planning amendments.**'*

1.) Inland waters

To investigate the two sites subject to the MRS proposed amendments, the area was visited on Sunday 7 June 2020. The UBC is concerned about the wetlands on the site. These wetlands are cited as Resource Enhancement wetlands and Multiple Use wetlands and that they are in the southern and northern sections of the amendment area. (MRS document.)

However, the UBC strongly suggests that the thickly vegetated fenced area just north of the southernmost wetland and adjacent to, and west of Interdominium View, is also a palusplain wetland. It is an area of dense wetland-type vegetation that must be protected. Frogs were calling.

We are not confident that this wetland will be protected in the subsequent development. Any dewatering and/or fill for a housing development will affect the wetlands on the site and should not be permitted. ASS soils must **never** be dewatered.

A wetland buffer as prescribed under State government policy must be respected.

We turn now to the wetland right at the southern corner between Armadale Road and Interdominium View. This wetland has been completely degraded because clearing has occurred around it and the sides have been cleared and scraped. Despite the degraded nature of the edges and surrounds of this wetland, it is full of water.

The Wetlands Conservation Policy for Western Australia (Government of Western Australia) states that the Government of Western Australia *'is committed to identifying, maintaining and managing the State's wetland resources, including the range of wetland values, for the long term benefit of the people of Western Australia.'*

The Commonwealth Government's Wetland Policy 1997 is *'to conserve, repair and manage wetlands wisely.'*

The UBC strongly advises and recommends that the WAPC consider the value of the wetlands, their vegetation on the site and the fauna that rely on the wetlands and give advice that will protect these assets. A substantial area around each wetland must be retained and restored. Indeed it is highly questionable that the whole area being palusplain wetland is suitable for housing development. With climate change and more severe weather events, the area will be subject to greater flooding risk.

On these grounds alone it is recommended that the MRS Amendments be refused.

2.) DWER to address the impacts, risks and management and EPA recommends approval.

1.) The MRS document notes: *'DWER to determine whether the updated District Water Management Strategy (DWMS) will demonstrate that the site is capable of accommodating urban development'*.

As explained by officers of the WAPC to the UBC, the District Water Management Strategy is developed by the private developer, and as such is not available publicly, so it is expected that its bias would be towards facilitating development. This is unacceptable.

The Department of Water and Environmental Regulation (DWER) has recognised that the District Water Management Strategy (DWMS) *'requires changes to sufficiently address the impacts, risks and management of urban development for surface water and groundwater resources.'* The EPA recommends approval of the DWMS by the DWER prior to finalisation of MRS 1369/57.

2.) The advice from the EPA is that *'the amendment area is within a Priority 2 Drinking Water Source Protection Area, the Jandakot Underground Water Pollution Control Area and partially within two drinking water wellhead protection zones.'*

As the Report also states that under SPP 2 Jandakot Groundwater Protection, *'there is a general presumption against new residential, special residential, industrial or commercial zones within the Jandakot underground water Protection Control Area*', but *'these are all uses that are permissible on land zoned Urban under the MRS.'* Notably these 2 statements are inconsistent.

The Report continues '*However, SPP 2.3 states that proposals which satisfy the following criteria may be supported:*

- *Large landholdings that were previously cleared and disturbed*
- *Land directly adjacent to already-developed areas.*
- *Land identified as being appropriate for more intensive development through strategic planning instruments such as a regional or sub-regional structure plan.'*

The proposed amendment then is 'considered to be consistent with the intent of SPP 2.3'.

The site may be '*capable of accommodating urban development*' (p 2), but this is at the expense of Groundwater Protection, protection of wetlands on the site, protection of Banksia Woodlands TEC, a rare vegetation community and scattered mature trees.

The WAPC's attention is drawn to these remarkable inconsistencies which are unacceptable in the public interest.

3. Flora and Vegetation and Terrestrial Fauna

In this section the EPA states: '*The amendment area contains poorly represented remnant vegetation (Southern River complex – 14% remaining),...*' In 2015 there was 18.4% of the Southern River complex remaining so this vegetation complex is still being cleared. (EPA advice to the Minister: Perth and Peel at 3.5 Million p 113). It is alarming that only 1.5% of the Southern River complex is secure for conservation in the Perth Peel region. **This means that any Southern River vegetation extant must be retained.**

The UBC supports the EPA advice that updated flora and vegetation and fauna surveys are required. The EPA is right to advise '*that future surveys are undertaken consistent with EPA technical guidance.*'

The UBC agrees that most of the site is degraded with no or little understorey. However, there are many trees on site, most of which are probably native trees. No matter what the outcome of the proposed rezoning, the UBC strongly suggests that many trees be protected. The alternative, as seen in adjacent developments of clear felling, probable dewatering and filling with mined sand, is not planning sustainably for the 21st century. It is environmental destruction on this highly diverse but sensitive landscape.

West Piara High School Site -MRS 1370/57

This proposed site is mainly cleared but the UBC draws to the WAPC's attention the vegetation on and near the north-east corner of Mason Road and Warton Road.

Although the area is not large, it is beautiful Banksia woodland. Trees within the bushland are *Banksia menziesii*, *Allocasuarina*, Jarrah and Christmas Trees with degraded understorey. The opportunity exists for this area to be protected and restored as part of the High School site. One Jarrah tree is a significant tree with a vertical hollow and the UBC recommends that this tree within the bushland area be specifically protected.