Mr Neil Thomson
A/Chairman
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Attention: Mr Anthony Muscara

Dear Mr Muscara

PROPOSED MRS AMENDMENT - MT HELENA URBAN PRECINCT, REQUEST FOR PRELIMINARY ADVICE

Thank you for your letter of 30 July 2013 referring the above proposed Metropolitan Region Scheme (MRS) amendment to the Department of Parks and Wildlife (DPaW), formerly the Department of Environment and Conservation (DEC) for preliminary comments.

General

The subject land, comprising 29 lots and approximately 63ha in size, is located adjacent to a portion of Wooroloo Regional Park, which is managed by the Shire of Mundaring. In this context the following preliminary comments are provided.

Surface water management and buffers

A minor watercourse, Charlotte Creek, appears to be present on the subject land. Any development should avoid impact to this watercourse and the proponent/s should seek to retain native vegetation around the watercourse. The proponent/s is advised to liaise with the Department of Water in relation to the potential impacts to the watercourse and requirements for an appropriate buffer to the watercourse.

Native vegetation (flora and fauna management)

An extensive area of regionally significant native vegetation is located within the adjacent Wooroloo Regional Park. Aerial imagery indicates areas of remnant native vegetation within the subject land. The submitted report (Request to amend the Metropolitan Region Scheme - Proposed urban development area Mount Helena, December 2011) indicates that the subject land comprises areas of native vegetation in good to excellent condition; and outlines that the Shire of Mundaring’s Draft Local Biodiversity Strategy 2009 indicates that some of the remnant vegetation within the subject land forms part of a local natural area (LNA), which has been assigned a protection status in order to provide a level of formal protection. The Strategy also indicates that a Regional Ecological Linkage/Wildlife Corridor exists to the north and west of the subject land, which signifies that these vegetated areas require a greater level of environmental protection and management. DPaW supports the protection of this identified LNA. DPaW also notes that the submitted report (Figure 1) includes the extensively vegetated Lot 20 (Crown Reserve 34965); however this lot is not included in the Environmental Report. Lot 20 has been assigned a conservation status in the Strategy.
DPaW advises that for these areas comprising native vegetation, a flora and vegetation survey in accordance with EPA's Guidance Statement 51 – Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia is required to determine the presence or absence of priority or rare flora. Appropriate action should be undertaken to protect, or mitigate impacts to conservation significant flora present on site. If the MRS is amended, such surveys should be carried out prior to finalising local structure plans as the results may directly influence this process.

DPaW databases identify that the subject land comprises foraging habitat for the threatened Carnaby's cockatoo (Calyptorhynchus latirostris). It is acknowledged that there are large remnants of native vegetation in the local area; however the continual net loss of significant habitat will result in additional pressure on the current population of Carnaby's cockatoos. Clearing of native vegetation, in particular, jarrah (Eucalyptus marginata) or marri (Corymbia calophylla) trees will result in a loss of foraging habitat for this species. The native vegetation is also likely to provide foraging habitat for the forest red-tailed cockatoo (Calyptorhynchus banksii naso) and Baudin's cockatoo (Calyptorhynchus baudinii) and may also comprise tree hollows that are suitable breeding habitat for the threatened cockatoos.

The Priority 5 Quenda (Isoodon obesulus subsp. fusciventer) has also been identified within the local area. Given the potential fauna habitat value of the native vegetation on the subject land, DPaW recommends that a fauna survey in accordance with the EPA's Guidance Statement 56 – Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia be undertaken prior to the local structure plan being finalised. Importantly, the fauna survey should assess the availability of tree hollows for fauna. If suitable habitat for conservation significant fauna is present on site, appropriate action should be undertaken to protect it, or to mitigate impacts.

DPaW recommends areas of high conservation value, such as native vegetation in good (Keighery 1994) or better condition, which contains conservation significant flora species and/or comprises suitable habitat for conservation significant fauna, be retained and incorporated into future development as public open space reserved for Conservation [and Passive Recreation].

Any clearing of native vegetation requires a clearing permit obtained from the Department of Environmental Regulation (DER), unless of a kind that is exempt in accordance with Schedule 6 of the Environmental Protection Act 1986 or Regulation 5 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004. For additional information on this matter, please contact DER's Native Vegetation Conservation Branch on 6467 5020.

Carnaby's cockatoo, Baudin's cockatoo and the forest red-tailed cockatoo are also protected by the Commonwealth's Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Therefore, regardless of any decision under Western Australian planning or environmental approvals processes, the proponent should contact the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) to determine what responsibilities they have under the EPBC Act.

**Boundary interface treatment**

The subject land is adjacent to a portion of Wooroloo Regional Park. If the MRS is amended then DPaW recommends having a perimeter road between residential development and the regional park, for reasons of public safety, protection of bushland and fire safety for residents. DPaW recommends that the width of the perimeter road is adequate to accommodate all road, dual use path and drainage infrastructure, and still allow for a gently sloping fill batter (e.g. 1 in
which meets the natural ground level well inside the road boundary, and which will allow for successful revegetation.

Fire management

If the MRS is amended then all necessary fire management requirements should be provided for within the subject land, in accordance with the Planning for Bushfire Protection (Interim) Guidelines (Edition 2 – WAPC and Fire and Emergency Services Authority, May 2010) and any other relevant policies.

DPaW requests the provision of a perimeter road to provide adequate separation between bushland areas and urban development, to help mitigate fire risk and provide improved access for fire suppression. The building protection and hazard separation zones should be accommodated within the development area, to ensure no impacts to the adjacent regional park.

Thank you for the opportunity to comment on this matter. Should you have any queries regarding this application, please contact Planning Officer Grace Patorniti of this office on telephone 9442 0300.

Yours sincerely

Reene Evans
A/Manager, Regional Parks Unit

13 September 2013
Mr Tim Hillyard  
Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6001

Attention: Mr Alex Watson

Dear Mr Hillyard

METROPOLITAN REGION SCHEME PROPOSED AMENDMENT 1277/57 – MOUNT HELENA URBAN PRECINCT

Thank you for your letter dated 19 November 2014 seeking comment from the Department of Environment Regulation (DER) on the above proposed Region Scheme Amendment.

DER notes that the amendment proposes to rezone approximately 46 hectares in Mount Helena from the rural zone to the urban zone for future residential development. It is also noted that the subject land has previously been developed and used for rural residential purposes.

A search of DER’s records of known or suspected contaminated sites indicates that, to date, none of the lots comprising the subject land have been reported to DER as a known or suspected contaminated site either prior to, or after, the commencement of the Contaminated Sites Act 2003. The subject land is located in a geographic area where the risk of acid sulfate soil occurrence is minimal.

A review of the historical aerial photography indicates that some lots in the subject area host small-scale orchards, which are a potentially contaminating activity as specified in the guideline ‘Assessment and management of contaminated sites’ (DER, 2014). DER may recommend that contamination condition EN9 and ENa2 advice, as published in ‘Model Subdivision Conditions Schedule’ (Department of Planning and Western Australian Planning Commission [October 2012]), be applied to future residential planning and development applications to ensure that the site is suitable for the intended land use.

DER has no objection to the amendment proceeding as there are no issues identified that cannot be managed at a later stage of the planning and development process. The Department has no requirement to attend a hearing.
Should you wish to discuss this correspondence, please contact DER's Land Use Planning Coordinator, Ms Teresa Gepp, on 6467 5383.

Yours sincerely

Stuart Cowie
ACTING DIRECTOR GENERAL

29 January 2015