



**Minister for Environment; Disability Services
Deputy Leader of the Legislative Council**

Your Ref: Petition No 21 (A647016)
Our Ref: 62-04579

Hon Matthew Swinbourn MLC
Chairman
Standing Committee on Environment and Public Affairs
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

Dear Mr Swinbourn *Matt*

Thank you for your letter dated 1 November 2017 regarding Petition No 21 Shenton Park Hospital Redevelopment, tabled by Hon Alison Xamon MLC.

The petition relates to planning processes and impacts to native vegetation associated with the proposed redevelopment of the Shenton Park Rehabilitation Hospital site on Lot 3240 on Plan 34515, Shenton Park.

I am advised that the former Department of Parks and Wildlife (Parks and Wildlife) provided comments to the Western Australian Planning Commission (WAPC) on the proposed Metropolitan Region Scheme Amendment – Shenton Park Hospital Redevelopment on 26 November 2014.

Parks and Wildlife noted that the majority of the site is developed with scattered trees and is completely degraded, however, approximately 2.5 ha of native vegetation that occurs on the western portion of the site is banksia woodland in good and very good condition. Parks and Wildlife advised that the vegetation at the Shenton Park Hospital and the adjoining Shenton Bushland and Underwood Ave Bushland is likely to form a valuable connection between Kings Park and Bold Park and may facilitate movement of birdlife, seed dispersal and genetic exchange between populations at these sites.

Parks and Wildlife also noted that a flora survey undertaken by GHD in 2012 located the Priority 4 species *Jacksonia sericea* in the western portion of the site. A targeted flora and vegetation survey undertaken in 2013 to determine if the threatened *Caladenia huegellii* was present, did not record the species, and that no threatened ecological communities were recorded on the site.

Parks and Wildlife recommended that areas mapped as remnant vegetation be retained and protected in public open space.

In 2015, the WAPC referred an amendment to the Metropolitan Region Scheme (MRS) and an Improvement Scheme for the Shenton Park Hospital Redevelopment Site to

the Environmental Protection Authority (EPA) for assessment under Part IV of the *Environmental Protection Act 1986* (EP Act).

On 25 May 2015, the EPA decided not to formally assess the referrals, however, it provided environmental advice to the WAPC supporting the retention of the Banksia woodland on the western side of the site, noting it is habitat for terrestrial fauna, specifically for Carnaby's Black Cockatoo.

On 8 July 2015, the WAPC referred the proposed amendment to the MRS for the Shenton Park Hospital redevelopment to Parks and Wildlife. It was noted that the amendment documentation retained the banksia woodland in good and very good condition in POS. On 22 September 2015, Parks and Wildlife advised the WAPC that it had no additional comments to those provided in the previous advice dated 26 November 2014.

The Department of Planning (DoP) invited comment from Parks and Wildlife on 26 February 2016 on the Draft Shenton Park Hospital Redevelopment Improvement Scheme. On 1 April 2016, DoP was advised Parks and Wildlife had no additional comment to make.

I understand that the Shenton Park Hospital Redevelopment Improvement Scheme was gazetted 17 January 2017 and is now the operative planning scheme for the former hospital site. This results in the local planning schemes (City of Nedlands and City of Subiaco) and the MRS ceasing to apply for the area. The Improvement Scheme identifies areas of Banksia Woodland on the western edge as public open space

Parks and Wildlife also provided advice to the WAPC in relation to a subsequent Subdivision Application 154745, and again supported the retention of native vegetation within areas designated as public open space. It was noted that the subdivision retained the areas of good and very good condition vegetation in public open space.

The Department of Biodiversity, Conservation and Attractions (DBCA) has advised me that, in addition to the retention of the native bushland in public open space, protection of some individual local native trees in other areas of the development site would assist in maintaining the site's value as an ecological link between Kings Park, Bold Park and other Bush Forever sites in the region, particularly for avifauna.

DBCA advises that it does not have any records of either breeding or foraging Carnaby's or Forest Red-tailed Black cockatoo utilising the Lemnos Street bushland. Black cockatoos have been recorded in the nearby Bush Forever sites and it is likely that both species would fly through the area and opportunistically forage in the bushland.

Separate to the matters outlined above, I am advised by the Department of Water and Environmental Regulation (DWER) that an application for a clearing permit, made under Part V of the EP Act was submitted to the DWER on 21 September 2017 from the Western Australian Land Authority (trading as Landcorp). The application seeks approval to clear 1.52 hectares of native vegetation within a 2.84 hectare footprint within the area in question, for the purpose of bush fire hazard reduction. I am advised that the application is under assessment.

Clearing permit applications are assessed against the clearing principles contained in the EP Act which consider (among other things) the biodiversity and conservation values of native vegetation. Members of the public have an opportunity to provide submissions on applications received. In making a decision on an application, the DWER has regard to submissions made and planning and other relevant matters (such as previous planning decisions and advice from the EPA and the DBCA).

Decisions to grant clearing permits are often subject to conditions, such as the requirement to avoid and minimise the impacts of clearing and to offset any significant residual environmental impacts. Decisions to grant clearing permits and the conditions of clearing permits are subject to a period where members of the public may lodge an appeal. Details of applications and decisions are published daily on the DWER's website at www.dwer.wa.gov.au/environmental-regulation.

Thank you for bringing this petition to my attention.

Yours sincerely



Hon Stephen Dawson MLC
MINISTER FOR ENVIRONMENT

17 NOV 2017