

Office of the Chief Executive
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22 August 2017

Hon Matthew Swinbourn MLC
Chair
Standing Committee on Environment & Public Affairs
Legislative Council Committee Office
18-32 Parliament Place
WEST PERTH WA 6005

Dear Matthew

DEVELOPMENT OF WETLANDS AND LAKE IN HELENA VALLEY

Thank you for your letter dated 28 June 2017 and the opportunity to comment on the petition and the four specific matters raised.

LETTER FROM PRINCIPAL PETITIONER

Susan McCann is an active member of the Save the Wetlands and Lake Committee and advocated for the retention of the wetlands when Structure Plan 71 was advertised for public comment.

At its meeting 27 January 2016, Council resolved to recommend to the Western Australian Planning Commission that the subject waterbody be retained as follows:

POS [public open space] being allocated over the wetland adjacent to the north of Reserve 49062 and the road network and Structure Plan 71 being modified accordingly

PETITION

The petition states in the second paragraph that the lake and wetlands is being reclaimed for the purpose of 76 housing lots.

To clarify, the waterbody being referred to covers a portion of Lot 2 & 3 Helena Valley Road (refer to **Figure 1**) and is shown in Structure Plan 71 as accommodating approximately five lots, public open space/drainage and road reserve (refer to **Figure 2**). Kadina Brook, shown in the western section of the plan, is shown as being required for reserve.

SPECIFIC MATTERS

Issue	Response
Status of lake and wetlands	Kadina Brook, as it relates to Lots 2, 3 and 6 Helena Valley Road is identified as a Resource Enhancement Wetland and Multiple Use Wetland according to the Geomorphic Wetlands Swan Coastal Plain maintained by the Department of Biodiversity, Conservation and Attractions (Parks and Wildlife). The lake is not within any of the former wetland categories but was recommended for protection by the Shire pursuant to the WAPC's <i>Liveable Neighbourhoods</i> .
Appropriateness of Kadina Brook as a relocation point for wildlife	No specific fauna relocation program has been proposed within Structure Plan 71. However, section 4.4.3 of the Environmental Assessment and Management Strategy foreshadows that terrestrial fauna management will be incorporated into a comprehensive Foreshore Management Plan for the Kadina Brook.
The clearing of native vegetation	No approvals have been issued for the removal of native vegetation from the subject property. Pursuant to Local Planning Scheme No. 4, vegetation within those areas shown as residential lots under Structure Plan 71 can be removed without the need to obtain planning approval.
Status of Structure Plan no. 71 and subsequent approval process	Structure Plan 71 was approved by the Western Australian Planning Commission on 3 November 2016. Should the landowner wish to subdivide the subject properties, approval is required to be sought and gained from the Western Australian Planning Commission.





Figure 1 – location of wetland

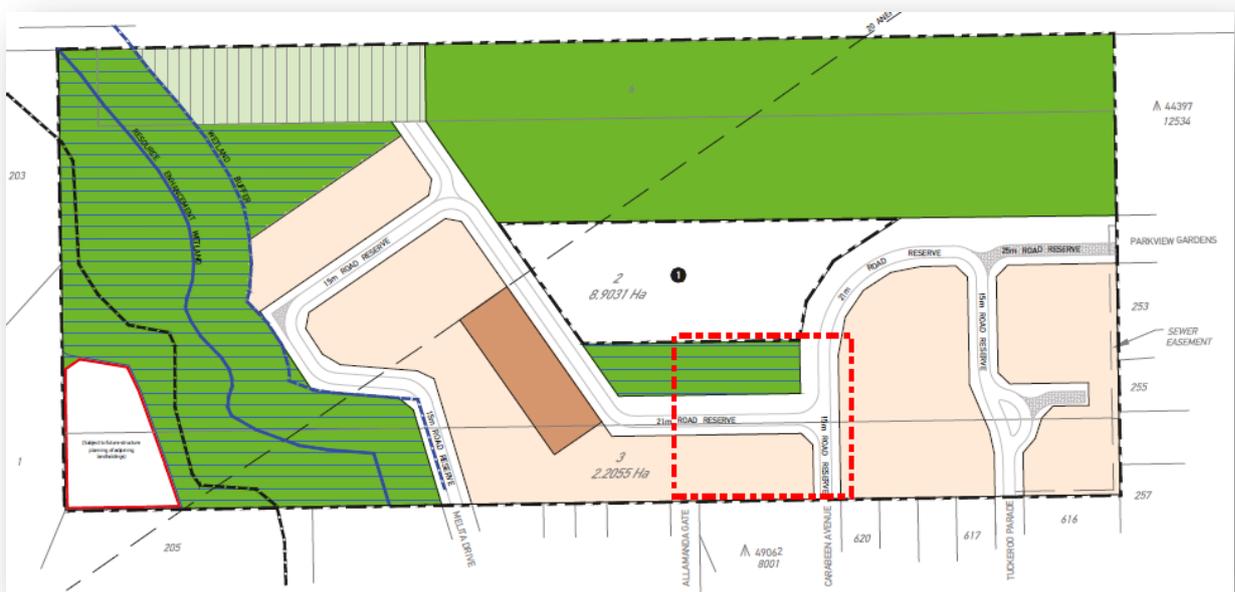


Figure 2 – location of wetland superimposed on Structure Plan 71

There are two important points to make in regards to this matter. Firstly, the Western Australian Planning Commission (WAPC) was responsible for determining Structure Plan 71.

Secondly, in making a recommendation to the WAPC, the Shire recommended the retention of the subject waterbody and made suggestions as to how it could be incorporated into the structure plan.

Notwithstanding the Shire's best endeavours, WAPC did not agree with the Shire's recommendation and supported the filling in of the waterbody.

Hence, the Shire respectfully requests any further State Government enquiries regarding this matter be directed to the relevant State agency ultimately responsible for the decision (WAPC). I trust this assists with your enquiries. Should you require any further information, please contact Angus Money (Manager Planning & Environment) on **9290 6740**.

Yours sincerely

Jonathan Throssell
CHIEF EXECUTIVE OFFICER