

Deputation to Statutory Planning Committee

Re Proposed Moore River South Subdivision (MRS)

Presented by Friends of Moore River Estuary

20 November 2018



Before you is a plan by Moore River Company (MRC) to create a suburb outside Perth's metropolitan area, in a cul-de-sac between Moore River Estuary and the Indian Ocean.

Directions 2031 clearly identifies Perth's northern Metropolitan Border as being the Two Rocks settlement. The area of bushland on the coast between Two Rocks and the Moore River is controlled by Forestry and DBCA, except for 2099 ha adjacent to the river which is owned by Moore River Company who are now seeking a renewal of their Subdivision Plan for a suburb on 357ha of this land. The ODP for this subdivision has developed over a couple of decades and was approved in 2013. Plans from the early 2000s based on field surveys from the 1990s should not be able to be revised and approved without reconsideration in the light of current planning policies.

Friends of Moore River Estuary ask you to reconsider the appropriateness of anyone creating a suburb in this location, which is well outside the metropolitan area and unconnected to any existing communities, infrastructure or sources of employment.

The Commission's agenda documents recommend that the modified subdivision plan be approved subject to conditions and indicates that the plan is fully or broadly consistent with State Planning Policies.

In our view, the current plan still does not meet the objectives of SPP 3 Urban Growth and Settlement or SPP 2.6, State Coastal Planning. We call the committee's attention to objectives that are clearly inconsistent with the current revised development plan.

1. Objective 2 SPP 3 and Part 5.2 of SPP2.6.

To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.

The development would be about 40 km by road from Two Rocks and about 25 km by road from Guilderton (on the north bank of the Moore River). Part 5.2 of SPP2.6. also calls for development to be concentrated in and around existing settlements with established infrastructure and services.

1 (i) Bridge: criteria of both ODP and SPP3 sustainable communities

The Shire originally accepted the plan on the basis that the two communities (Guilderton to the north and the new development to the south) should be integrated. The ODP stated that the Shire would develop a Guilderton Extension Plan that would include consideration of a bridge, and that negotiations with the developer would occur in respect to financial contributions. SPP 3 also emphasises the primacy of extending existing settlements over creating new settlements and calls for a detailed assessment to include key elements such as capital investment for required infrastructure including contribution arrangements, environmental and engineering considerations. While we believe a bridge would be unacceptable on environmental grounds, the lack of a bridge (or any integration of the proposed development with any existing community) undermines the Shire's original basis for accepting the proposal and also demonstrates the critical shortcomings of the original planning decision in light of current state planning values.

2. Objective 3 SPP3

To manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.

This objective emphasizes growth which takes account of community values. A key value of this region to the broader community of Perth is recreational. Guilderton on the northern bank of the Moore River has less than 200 residents, yet hosts up to 3000 visitors a day in summer. The proposed urban development compromises the river and bushland environment that is valued by the people of Perth and by the residents of Guilderton.

3. Objective 4 SPP3

To promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.

Objective 4 of the SPP3 emphasises safe and convenient access to employment and services and reduced travel demands. The development does not have access to local sources of employment, and the closest medical, educational and retail services are at Two Rocks, an 80 km round trip away.

4. SPP 2.6 Environmental Considerations

SPP2.6 Parts 5.2(i) and (vi) also emphasise the need for proper assessment of the environmental capability to support new settlements and the need to avoid significant and permanent negative impacts on the environment. We note that the recommended conditions 2, 27 and 32 in the agenda documents provide some protections (further assessment of TECs, provisions to protect Carnaby's Cockatoo Habitat and the requirement for permission to be sought to remove existing Tuart trees). However, the revised proposed subdivision plan still entails significant clear felling of pristine, excellent and very good vegetation plus uniforming of topographic features to meet a Bushfire Attack Level of 29. The plan has the potential to destroy habitat and breeding sites of a threatened species (Carnaby's Cockatoo) as well as damaging potential Banksia Woodland Threatened Ecological Communities. See appendix for more details of environmental concerns.

In summary, the proposed development fails to meet current social, economic and environment planning objectives and measures of SPP 3 and SPP 2.6. The ODP stated that the Shire would develop a Guilderton Extension Plan to include a bridge. The proposal fails on multiple key elements of the regional planning and sustainability objectives and is inconsistent with the ODP. Historically, the Planning Commission's own 2006 Gingin Coast Structure Plan recommended that the Shire's Town Planning Scheme 9 not be approved until the area was rezoned as rural. We suggest that the new Planning Policies that recognize Bushfire Prone areas and the environmental significance of a number of species found in this locality are also sufficient reason to declare that this small piece of WA should never be made into a suburb.

We therefore respectfully request that this subdivision be the subject of close scrutiny and that consideration be given to rejecting the application for its renewal.

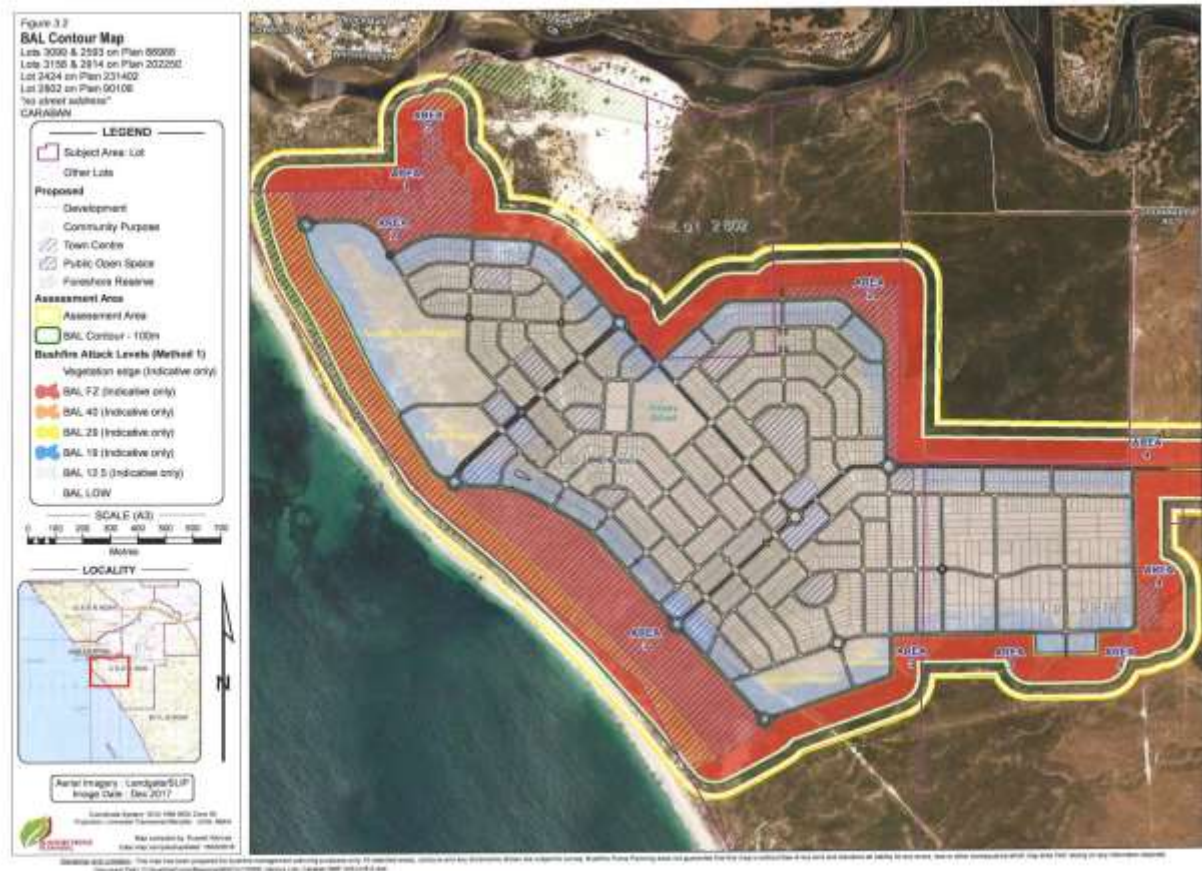
Appendix. Summary of Bushfire and Environmental Concerns

In December 2015 SPP 3.7, Planning in Bushfire Prone Areas was gazetted, identifying this whole area as Bushfire Prone.



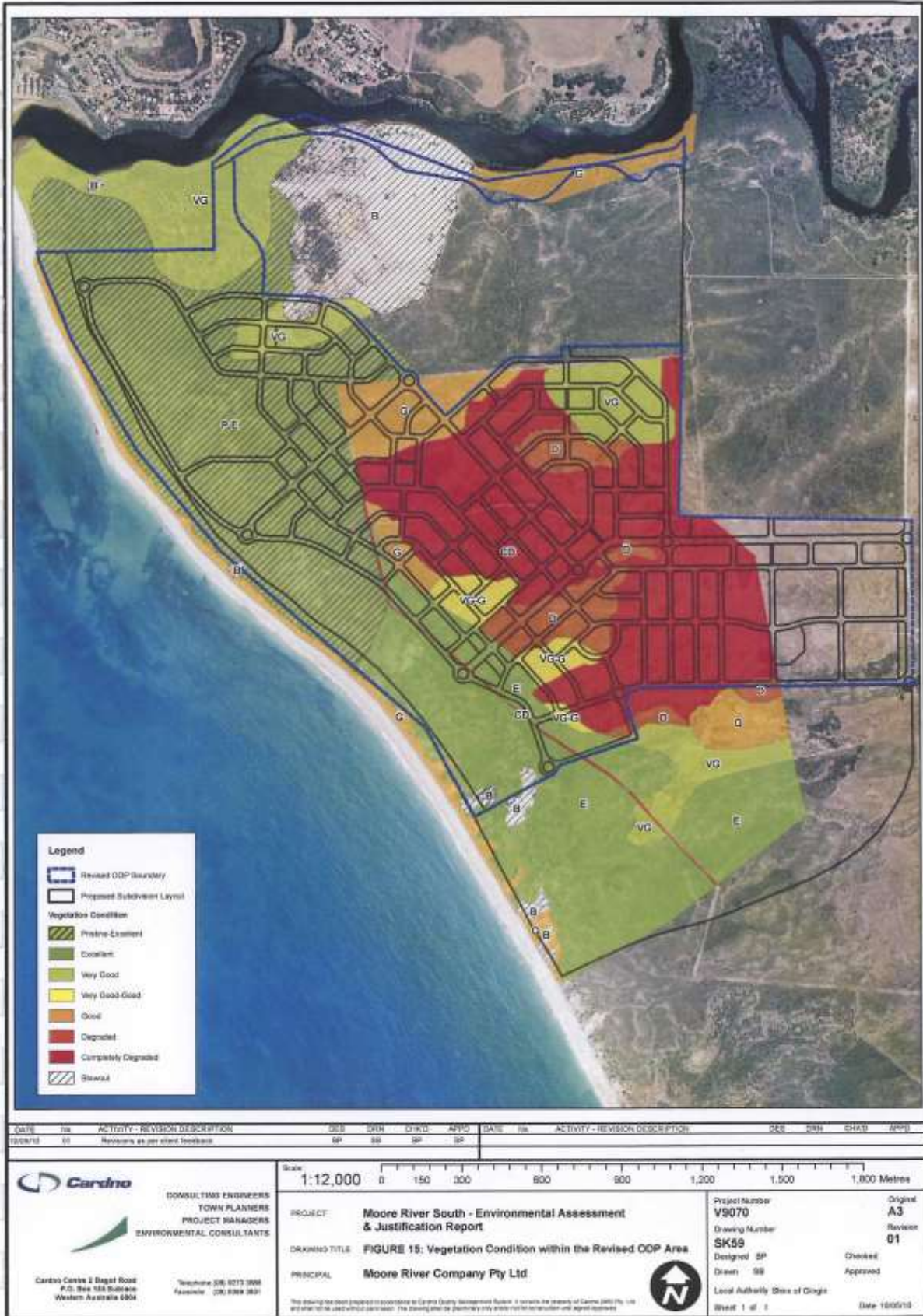
The revised plan includes two roads which depart the community at the same point and therefore still represent only one effective egress. Surrounded by bushland and with strong prevailing SW winds any fire on this site could quickly escalate to be catastrophic. DFES do not support the revised plan.

This is the degree of clearing MRC proposes to try to meet the new conditions.



The measures promised in this revised subdivision approval application describe almost clear felling of the site to achieve a Bushfire Attack Level rating of 12.5 for the 2,000 houses, with a 25 metre Asset Protection Zone around the entire site and even more extensive clearing for the access roads. Agenda documents have recommended conditions 39 and 41 which do go some way to addressing the concerns, with reduced APZ to achieve a BAL of 29 and provisions that APZ must not protrude into public open space, foreshore reserves and/or private property not the subject of development. However, we still believe this can only be achieved by the clearing of vegetation in areas of high environmental value including areas of significant topographical features, endangered fauna habitat, high condition vegetation and significant flora species. This is inconsistent with the ODP, upon which this application is based which gives assurances of minimising the clearing to better protect holistic environmental values.

Here is the 2013 ODP version of vegetation condition and the approved plan.



The subdivision is not placed on mostly degraded land as purported by MRC and their consultants.

Environmentally this new subdivision proposal is a disastrous plan.

The coastal wildlife corridor, between Yanchep and Moore River Estuary, will be destroyed by the level of clearing that is now proposed.

Carnaby's Cockatoo Habitat

The Federal Government Compliance and Enforcement approached MRC in 2013 and told them “the department’s position was that the project will have a significant impact on Carnaby’s black cockatoo and will require referral and assessment under the EPBC Act. Conditions of approval 32 make provision for vegetation, including potential Carnaby’s Cockatoo Habitat trees “worthy of retention within the proposed public open space, conservation and foreshore reserves” to be protected. Despite this measure which will likely retain isolated trees rather than viable connected habitat, the clearing that would be necessary for fire control and the clearing of excellent/pristine bushland including established Tuart and banksia woodland in the planned residential subdivision means that the proposal remains incompatible with the retention of important vegetation and habitats.

Banksia Woodland Threatened Ecological Communities

We acknowledge condition 2 of the agenda documents. We believe that a referral under the Environmental Protection Biodiversity and Conservation Act (1999) is urgently called for to determine whether the Banksia Woodland TEC is present within the subdivision area.