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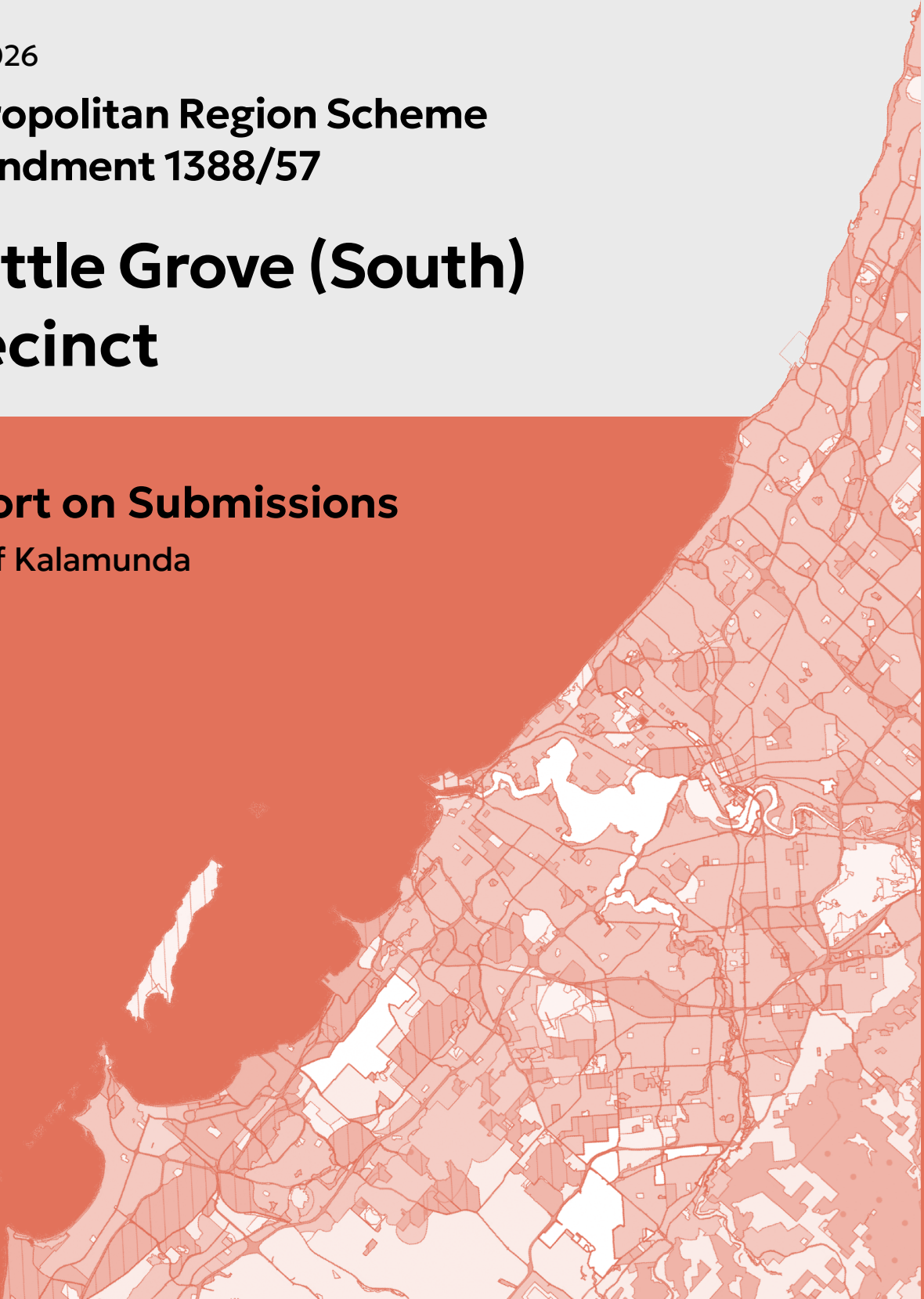
May 2026

**Metropolitan Region Scheme
Amendment 1388/57**

Wattle Grove (South) Precinct

Report on Submissions

City of Kalamunda



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Report on Submissions

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Published under separate cover

Submissions

Acknowledgement of Country

The Western Australian Planning Commission acknowledges Aboriginal people as the traditional custodians of Western Australia. We pay our respects to the Ancestors and Elders, both past and present, and the ongoing connection between people, land, waters, and community. We acknowledge those who continue to share knowledge, their traditions and culture to support our journey for reconciliation. In particular, we recognise land and cultural heritage as places that hold great significance for Aboriginal people.

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Gordon Stephenson House
140 William Street
Perth WA 6000

Locked Bag 2506
Perth WA 6001

Internet: www.dplh.wa.gov.au
Email: info@dplh.wa.gov.au

Phone: (08) 6551 8002
National Relay Service: 13 36 77

Amendment 1388/57
Report on Submissions

File: RLS/0977

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This document is available in alternative formats on application to the
Department of Planning, Lands and Heritage Communications Branch.

1. Introduction

At its October 2021 meeting, the Western Australian Planning Commission (WAPC) resolved to proceed with this amendment to the Metropolitan Region Scheme (MRS), in accordance with the provisions of the former Section 57 of the *Planning and Development Act 2005*.

2. The proposed amendment

The amendment proposal was described in the previously published ***Amendment Report***, and a description of the proposal is repeated below.

The purpose of the amendment is to rezone approximately 126 ha in the Wattle Grove locality from the Rural zone to the Urban zone in the MRS.

The proposed amendment is to facilitate future residential development, following local structure planning and subdivision approval.

3. Environmental Protection Authority advice

The proposed amendment was referred to the Environmental Protection Authority (EPA) for a determination on whether environmental assessment would be required, or not. The EPA determined that the amendment should be assessed under Part IV Division 3 (48A) of the *Environmental Protection Act 1986* (EP Act).

The instructions provided by the EPA for the scope and content of the Environmental Review to inform the EPA's assessment (No. 2335) of MRS 1388/57 identify five key environmental factors, with the following objectives:

- Inland Waters - “To maintain the hydrological regimes and quality of groundwater and surface water so that environmental values are protected”
- Flora and Vegetation - “To protect flora and vegetation so that biological diversity and ecological integrity are maintained”
- Terrestrial Fauna - “To protect terrestrial fauna so that biological diversity and ecological integrity are maintained”
- Social Surroundings - “To protect social surroundings from significant harm”
- Greenhouse Gas - “To reduce net greenhouse gas emissions in order to minimise the risk of environmental harm associated with climate change”.

An Environmental Review was prepared in accordance with instructions issued by the EPA and concurrently advertised with the *Amendment Report*. The EPA published its findings in EPA Report 1788 in July 2025. Appeals were lodged against the EPA's recommended conditions, and these were considered by the Environmental Appeals Convenor.

On 3 March 2026, the Minister for Environment released Statement No. 1267 that the Scheme could be implemented and determined the appeals accordingly. A copy of the Minister for the Environment's Statement 1267 is at Schedule 5. The amendment inserts these environmental conditions in the MRS Text and the “EC” symbol is included over the amendment site.

4. Call for submissions

The amendment and Environmental Review No. 2335 were advertised for public submissions for a total of 62 days from 08 October 2024 to 09 December 2024. The Amendment and Environmental Review were made available for public inspection during ordinary business hours at:

- i) Western Australian Planning Commission, 140 William Street, Perth
- ii) offices of the Cities of Kalamunda and Gosnells
- iii) Department of Water and Environmental Regulation, Joondalup
- iv) State Reference Library, Northbridge.

During the public inspection period, notice of the amendment was published in *The West Australian* and relevant local newspaper/s circulating in the locality of the amendment.

5. Submissions

A total of 108 submissions (includes 2 late submissions) were received on the amendment; 71 submissions were of objection; 20 submissions were of support and 17 were non-objection or comment.

Copies of all written submissions are contained within this report.

6. Main issues raised in submissions

Supporting Submissions

In summary, the following submissions of support were received:

- This area has been identified for urbanisation in the *Perth and Peel@3.5Million/North-East Sub-regional Planning Framework*.
- The area is in close proximity to the Perth CBD and is accessible via already existing major roads.
- The development will provide more land in an excellent location for much needed residential housing.
- The development area is close to employment zones and convenient for future families to take advantage of these opportunities.
- The Perth metro area is growing, and this development caters for the demand for land/housing, which also assists home builders and the economy.
- The land in the area has largely been cleared which makes it an excellent site for redevelopment rather than clearing native bushland.
- Urban development of this area has been a consideration for many years now.
- Much of the land in the rezoning area is vacant and can be more effectively used conceding the close proximity to the CBD.
- Significant environmental investigations have been conducted in the area which provides a lot of knowledge to future developers to manage environmental impacts and implement appropriate solutions to mitigate risks.
- The rezoning will help with bushfire management in the area.

WAPC Comment: The submissions of support have been noted.

Objecting Submissions

Environmental Matters

Submissions advise that the Environmental Review was biased as it was undertaken by the developer. The proposal will affect the Greater Brixton Street wetlands and existing flora (e.g. Ridge Hill Shelf Complex) and fauna (e.g. Black Cockatoos, Quenda) etc.

WAPC Comment: The Environmental Review was undertaken in accordance with EPA instructions including guidance and advice from the Department of Water and Environmental Regulation (EPA Services) and other government agencies. This included specialist environmental consultants with areas of technical expertise to address the scope and content of the review as required by the EPA.

The WAPC formally adopted the Environmental Review following consideration by the Department of Planning, Lands and Heritage and the document was sent to the EPA for approval. Following further modifications, the EPA advised the WAPC that the Environmental Review was suitable for advertising. The MRS amendment and Environmental Review were concurrently advertised for 60 days, all environmental submissions were provided to the EPA (as received in full) and the WAPC's advice on environmental submissions was provided in accordance with the *Planning and Development Act 2005*.

The WAPC considers that the Environmental Review process has been undertaken to the satisfaction of the EPA and in accordance with legislative requirements. The WAPC supports the independent and objective assessment of the EPA's processes and the Minister for Environment's Statement 1267 advising that the amendment can be implemented subject to environmental conditions.

The matters raised with respect to flora, fauna and hydrology were considered in the environmental reporting as part of the Environmental Review in accordance with the EPA's instructions. A suite of detailed environmental investigations and studies were undertaken to inform the environmental impact assessment as documented within the advertised Environmental Review.

As a result of the detailed assessment of the potential impacts, the mitigation hierarchy of avoid, minimise, rehabilitate and offset has been considered. Resulting in appropriate mitigation measures being developed for future implementation to ensure the proposed environmental outcomes meet the EPA's objectives.

On 3 March 2026, the Minister for Environment issued Statement No. 1267 confirming that MRS Amendment 1388/57 can be implemented subject to environmental conditions. It is noted that the environmental conditions are to be inserted in the MRS Text and will need to be complied with.

Any future structure plan, subdivision or development within the amendment area will need to demonstrate compliance with the environmental outcomes and values set out in Ministerial Statement No. 1267 and is likely to be supported by additional and/or updated technical surveys, assessments and documentation. This includes the requirement to prepare the following management plans:

- Conservation Area Management Plan - for retained areas, which contain threatened ecological communities, threatened and priority flora, and high value fauna habitat, including black cockatoo habitat.
- Local and Urban Water Management Plans - to ensure the environmental outcomes and conditions concerning the Greater Brixton Street Wetlands are achieved.
- A Tree Canopy Retention and Landscape Management Plan - to identify retained trees, with particular regard to potential nesting trees, and facilitate tree planting to create connectivity between retention areas and black cockatoo habitat.

The requirement for referral under the *Environment Protection and Biodiversity Conservation Act 2019* (EPBC Act) has been identified with respect to Matters of National Environmental Significance (MNES). In future planning stages, where a proposed action is likely to result in an impact on MNES, referral requirements under the EPBC Act will need consideration.

Strategic Planning Matters

Submitters advise that proposal will negatively impact on their existing amenity which they currently enjoy.

WAPC Comment: The MRS amendment is consistent with the State Cabinet endorsed and WAPC adopted *Perth and Peel@3.5million* and associated North-East Sub-regional Planning Framework, which provides strategic guidance to the WAPC, government agencies and local governments on land use, land supply, land development, environmental protection, infrastructure investment and the delivery of physical and community/social infrastructure for the Perth and Peel regions.

The majority of the amendment has been identified for urban land uses ('Urban Expansion') and with a "Medium-Long Term (2022+)" urban staging timeframe under the North-East Sub-Regional Planning Framework, which forms part of the *Perth and Peel@3.5million* suite of documents.

This represents the most current planning guidance for the Greater Perth region including the Wattle Grove locality. Therefore, the proposed amendment seeks to progress the zoning of the site in accordance with its strategic urban identification in the Frameworks.

In subsequent planning stages such as the local structure plan the need for open space areas, green linkages and landscaping and other revegetation would be considered having regard to Ministerial Statement 1267. This process includes separate public consultation with affected landowners and State Government agencies prior to a final determination being made by the WAPC.

Other General Matters

- The proposed amendment will significantly exacerbate traffic in the locality and is affected by aircraft noise from Perth Airport.

WAPC Comment: It is noted that matters relating to traffic and noise impacts are typically considered in the more detailed local structure planning stage by the City of Kalamunda, Main Roads WA and the WAPC. As Tonkin Highway and Welshpool Road (East) are in close proximity there is the potential for noise attenuation to be required. The proponent has acknowledged that the exact nature of these measures is to be determined at the detailed structure planning stage, and may result in subdivision and development approval conditions.

It is also noted that the amendment site is not affected by any Australian Noise Exposure Forecast contours from Perth Airport in accordance with provisions of State Planning Policy 5.1 – Landuse Planning in the Vicinity of Perth Airport.

- The proposal should have been considered as a 'minor' MRS amendment.

WAPC Comment: The MRS amendment was initiated under the requirements of the former *Planning and Development Act 2005* which allowed for amendments to the MRS to be processed as either "minor" or "major".

Former *Development Control Policy 1.9 - Amendment to Region Schemes* set out the criteria for deciding whether the "major" or "minor" process should be followed. The criteria related to a variety of matters not all of which relate to every amendment. The WAPC determined that this amendment be processed as a "minor" amendment, for the following reasons:

- The size and scale of the proposed amendment is not considered regionally significant. It does not reflect a regional change to the planning strategy or philosophy for the metropolitan region.
 - The proposal generally aligns with the *Perth and Peel@3.5million / North-East Sub Regional Planning Framework* which identifies the majority of the site as “Urban Expansion” with a “Medium-Long Term (2022+)” staging timeframe.
 - The proposal has been identified for urban investigation purposes in the City of Kalamunda’s Local Planning Strategy, Local Housing Strategy and Crystal Brook Concept Plan.
 - The City of Kalamunda and relevant State Government agencies have not raised matters which would prevent the initiation and advertising of the amendment or which can’t be resolved in subsequent more detailed planning stages.
- A review of *Perth and Peel@3.5million* and associated Frameworks has not been undertaken.

WAPC Comment: *Perth and Peel@3.5million* and associated Frameworks are the current strategic planning documents which generally guide the WAPC in zoning of new land for Urban purposes under the MRS. Therefore, the proposed amendment is in accordance with the current State Government adopted strategic planning which identifies the majority of the site for future urbanisation.

- Not all relevant parts of the State Planning Framework have been considered in the planning assessment of the site.

WAPC Comment: The MRS amendment process relates to the zoning of the site to Urban zone (and concurrent LPS zoning). In accordance with standard practice, the WAPC considered the relevant State Planning Policies (SPP’s) which relate to the proposal and were included in the advertised Amendment Report.

As more detailed planning progresses the relevant parts of the State Planning Framework are considered such as SPP’s, Development Control and Operational Policies etc commensurate with the stage of the planning process.

7. Modifications

The proposed amendment is to be modified as follows:

- The inclusion of the “EC” designation over the amendment site as it is subject to environmental conditions.
- The inclusion of the environmental conditions in Ministerial Statement 1267 in Schedule 1 of the MRS Text.

As these modifications do not alter the intent of the advertised amendment and do not include any new areas, readvertising of the amendment is not considered necessary.

8. Responses and determinations

The responses to all submissions are detailed in Schedule 2. The submissions of objection are recommended to be dismissed, and the amendment be adopted for finalisation as modified.

9. Coordination of local and region planning schemes

Under section 126(3) of the *Planning and Development Act 2005* (the Act), the WAPC has the option of concurrently rezoning land being zoned Urban under the Metropolitan Region Scheme, to a zone which is consistent with the objectives of the Urban zone in the corresponding local planning scheme.

In this respect, the WAPC has resolved to concurrently amend the City of Kalamunda Local Planning Scheme No. 3, to transfer the amendment area to the Urban Development zone.

This would allow the progression of local structure planning whilst having regard to the environmental requirements of Ministerial Statement 1267.

10. Conclusion and recommendation

This report summarises the background to Amendment 1388/57 and examines the various submissions made on it.

The Western Australian Planning Commission (WAPC), after considering the submissions, is satisfied that the amendment as shown generally on the **Amendment Figure - Proposal 1** in Schedule 4, and in detail on the Amending Plan listed in Appendix B should be approved and finalised.

Having regard to the above, the WAPC recommends that the Minister for Planning and Lands approves the modified amendment.

11. Minister decision

Amendments to the Metropolitan Region Scheme being progressed as a minor amendment in accordance with the former *Planning and Development Act 2005* require the WAPC to provide a report and recommendation to the Minister for Planning and Lands for approval. The Minister may approve, approve with modification, or decline to approve the proposed amendment.

The Minister, after considering the amendment, has agreed with the recommendation of the WAPC and approved the amendment.

Amendment 1388/57 is now finalised as modified and shown on Amending Plan 3.2787/1 and has effect in the Metropolitan Region Scheme from the date of notice in the *Government Gazette* on Friday 29 May 2026.

Schedule 1

listing of submissions

Metropolitan Region Scheme Amendment 1388/57

Wattle Grove (South) Precinct

Submission Number	Submitter
1	Gregory Taylor
2	Name removed at the request of the submitter
3	Name removed at the request of the submitter
4	ATCO Gas
5	Ian & Sabrina Weale
6	Nazmus Sadat
7	Robert and Valerie Dick
8	Bev and Charles Dornan (on behalf of EcoVision)
9	Jacqui Jeavons
10	Ken Abbotsford
11	Department of Health
12	Jinat Sultana
13	Jewely Parvin
14	Md Hasanul Masroor
15	Diana Corbyn
16	Name removed at the request of the submitter
17	Maureen Taylor
18	Julie Di Florio
19	Department of Energy, Mines, Industry Regulation and Safety
20	Lyn Larsen
21	John Taylor
22	Sydney Chipchase
23	Hilton Gardens Verges and Trees Committee
24	Linda Delaney
25	Leonie Stubbs
26	Geoff Ingleton
27	Name removed at the request of the submitter
28	Rowe Group
29	Department of Water and Environmental Regulation, Swan Avon Region
30	Department of Transport
31	Name removed at the request of the submitter
32	Andrea Balfe
33	Daniel Curulli
34	Leslie Lyons
35	John Taylor
36	Ian Rintoul
37	Graham Ryan
38	John & Kathleen Edmonds
39	Name removed at the request of the submitter
40	Name removed at the request of the submitter
41	Name removed at the request of the submitter
42	Name removed at the request of the submitter
43	Kaye Barr
44	Peter & Reta White
45	Peter & Margaret McKenna
46	Marie Ryan
47	Murray Smith
48	Gail Evans
49	Dr Catherine Colas des Francs-Small
50	Troy Taylor
51	Kerry Darroch
52	Dr Jane Genovese
53	Stephen Genovese
54	Sharon Genovese

Submission Number **Submitter**

55	Margaret Lyons
56	Charles Genovese
57	Department of Water and Environmental Regulation (EPA Services)
58	Erin Smith
59	Dampier Bunbury Pipeline
60	Water Corporation
61	Nature Reserves Preservation Group of Kalamunda Inc.
62	Rebekah Smith
63	Richard & Dianne Blanchard
64	Mary Aung-Sein
65	Conservation Council of WA
66	Department of Fire and Emergency Services
67	John Della Bona
68	Lucy Aungsein
69	Theresa Miller
70	Department of Primary Industries and Regional Development
71	Peggy Pine & Warren Dixon
72	GP, MR & MG Luck
73	Peter H Forrest
74	Name removed at the request of the submitter
75	Name removed at the request of the submitter
76	Bradley Wood, Catherine Wood & John Baldock
77	Name removed at the request of the submitter
78	Simon and Roxanne Ozanne
79	Name removed at the request of the submitter
80	Hesperia Property Pty Ltd
81	Name removed at the request of the submitter
82	Garry Curnow
83	Rosemarie Curnow
84	Name removed at the request of the submitter
85	Brett Smith (The B & J Smith Property Trust)
86	Tony Riggio
87	Name removed at the request of the submitter
88	Wendy Dugmore
89	Name removed at the request of the submitter
90	Name removed at the request of the submitter
91	Marco Di Camillo
92	Greg Leach
93	Joby K Joseph
94	Adrian Caldieraro
95	Richard Lovegrove
96	Stewart Gillan
97	Name removed at the request of the submitter
98	Wattle Grove Trust
99	Natallia Aung-Sein
100	Theresa Aung-Sein
101	Noelina Aung-Sein
102	Monica Aung-Sein
103	Pauline Aung-Sein
104	James Miller

Late Submissions **Submitter**

105	Main Roads Western Australia
106	Department of Education
107	Perth Airport
108	Urban Bushland Council

Schedule 2

summary of submissions and determinations

Submission: 1

Submitter: Gregory Taylor (interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment as the area under proposal is immediately adjacent to the Greater Brixton Street Wetlands, the most biodiverse location in the greater Perth area. In order to maintain the wetland's integrity, and particularly that of its hydrology, the proposed zoning change should be rejected.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

The amendment area is not immediately adjacent to the Greater Brixton Street Wetlands (GBSW). Key infrastructure corridors, including the Tonkin Highway Road reserve and the DBNGP and Water Corporation pipeline easement, separate the amendment area from the GBSW. The hydrological assessment from the land use change presented in the ERD specifically demonstrates:

1. Compliance with EPA's instructions for the Environmental Review.
2. The proposed 'Urban' land use with the implementation of the avoidance, minimise, mitigation/management measures can address the EPA's objectives for Inland Waters.

Determination: Submission dismissed.

Submission: 2

Submitter: Name removed at the request of the submitter

Summary of Submission: OBJECTION

The submitter objects to the amendment as the priority focus should be on infill development (47% target) and innovation in sustainable Urban re-development of existing areas, not MRS amendments that lead to rezoning of long established semi-Rural areas on the Metropolitan fringe into unsustainable, low density residential business-as-usual development. Secondly, we should preserve a Rural greenbelt in the foothills area to strengthen Lesmurdie and Korung National Parks and the local environmental values which are being severely affected and threatened by a drying climate.

The environmental review EPA Assessment No. 2335 was not undertaken by an independent team of consultants. These consultants all have strong ties with and depend on the

development industry and therefore may be biased towards an outcome in favour of the rezoning. Their work should be independently reviewed to ensure it reflects and predicts likely environmental impacts that may result from the scheme amendment in a realistic manner.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission dismissed.

Submission: 3

Submitter: Name removed at the request of the submitter

Summary of Submission: OBJECTION

The submitter objects to the amendment increasing density at the expense of open space and high environmental area fringe. If this development goes ahead why isn't there a requirement for the houses and streets to fit around the mature trees and retain them?

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

A key design principle contained in the MRS amendment request is to maximise tree retention within new public open space areas, streetscapes and larger lots and introduce substantial street tree planting to achieve significant tree canopy areas and local amenity as the site develops. This will be achieved as part of detailed design at subsequent planning stages.

Determination: Submission dismissed.

Submission: 4, 11, 19, 30, 59, 60, 66, 70, 105 (Late), 106 (Late)

Submitter: ATCO Gas, Department of Health, Department of Energy, Mines, Industry Regulation and Safety, Department of Transport, Dampier Bunbury Pipeline, Water Corporation, Department of Fire and Emergency Services, Department of Primary Industries and Regional Development, Main Roads WA, Department of Education

Summary of Submission: COMMENT

The above State Government agencies and infrastructure providers raise no objections, no comment or provide general comments on the amendment.

Planning Comment: Comments noted. Where applicable these comments have been provided to the proponent for further consideration.

Determination: Submissions noted.

Submission: 5

Submitter: Ian & Sabrina Weale (interested residents)

Summary of Submission: OBJECTION

The submitters object to the amendment as they moved here to get the Rural lifestyle not interested at this point of time of subdivision.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 6

Submitter: Nazmus Sadat (interested resident)

Summary of Submission: SUPPORT

The submitter supports the amendment as more land release will assist current housing crisis.

Planning Comment: Support noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission noted.

Submission: 7

Submitter: Robert and Valerie Dick (interested residents)

Summary of Submission: SUPPORT

The submitters support the amendment as they are in our 80's and are unable to maintain acres and are awaiting your decision so as sale can go through for us to move to smaller home. Also, most blocks in our street are in same boat and are not being used. So close to Perth and need more smaller blocks to accommodate workers in the area who are now working in the newly Hale Road developments.

Fire hazards each year in our area each summer is such a worry also. Please pass this amendment as soon as possible for us so

as we can move on quickly. I believe most residents in our area are fully supportive of the amendment.

Planning Comment: Support noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission noted

Submission: 8

Submitter: Bev and Charles Dornan (on behalf of EcoVision)

Summary of Submission: OBJECTION

The submitters object to the MRS Amendment and Environmental Review 2335 and have provided separate comments on both processes as follows.

MRS Amendment 1388/57 – Wattle Grove (South) Precinct

Lack of Critical Infrastructure: The proposed Amendment area fundamentally lacks the essential infrastructure required for high-density Urban development. Most critically, the absence of reticulated sewerage and gas networks —particularly crucial in nutrient-sensitive surroundings — presents a severe limitation. This deficiency creates not only substantial initial installation costs but also imposes long-term financial burdens on state and local government, with residents facing additional infrastructure contributions.

Scale of development impact: The proposed Amendment would dramatically transform the area’s demographic and infrastructure demands. The plan envisions an extraordinary increase from the current 77 dwellings to over 1,000, channelling all associated traffic through Crystal Brook Road — the sole access point to Tonkin Highway via Welshpool Road East. This would result in a fivefold increase in daily traffic on Crystal Brook Road, from 2,000 to 10,000 vehicles.

The City of Kalamunda’s traffic projections anticipate:

- A surge to 30,000 vehicles daily on Welshpool Road East between Tonkin Highway and Crystal Brook Road
- An increase to 10,000 vehicles daily on Crystal Brook Road.

However, these projections significantly underestimate the actual impact. Recent state government announcements reveal plans for Tonkin Highway — which borders the Amendment area — to accommodate over 50,000 vehicles daily, including 13% heavy vehicles. As Transport Minister Rita Saffioti noted in WA Today (14 October 2024): “*This stretch of Tonkin Highway is a*

notorious bottleneck, particularly the intersection with Welshpool Road which regularly rates as one of the worst for congestion.”

Aircraft noise considerations: Further compounding these concerns, the Perth Airport Authority has raised significant objections regarding aircraft noise impact. Their assessment reveals that the area will experience up to 100 aircraft noise events above 65 decibels in an average day. As the Authority emphasises, “Noise at this level is disruptive to a conversation, even inside a dwelling and will be unacceptable to most people.” Based on these findings they explicitly support maintaining the area’s Rural character through density limitations.

Planning and infrastructure implications: This proposal fundamentally contradicts the WAPC’s mandate for sustainable development in Western Australia. It would necessitate unscheduled, costly reconstruction of the existing road network while diverting resources from a coordinated approach to infrastructure provision. The combined impact of inadequate infrastructure, severe traffic congestion and significant aircraft noise would create untenable living conditions in a high-density residential development.

The evidence clearly demonstrates that this Amendment would impose unsustainable infrastructure demands while subjecting future residents to unacceptable living conditions. These factors provide compelling grounds for the WAPC to reject the amendment in accordance with its responsibility to ensure sustainable development outcomes for Western Australia.

Surplus Urban Land Supply: The proposal to rezone Wattle Grove South ignores a crucial reality: Perth already has decades of Urban development capacity within its existing boundaries. The North-East Sub-Regional Planning Framework has identified approximately 7,570 hectares of land already earmarked for projected population growth through 2050. This substantial reserve has been further supplemented by Minister Carey’s recent announcement of 6,300 new housing lots in the metropolitan area.

The scale of available Urban land: The Department of Planning’s Urban Monitor 11 (January 2020) presents a striking conclusion: Perth’s currently zoned Urban development land would take 62 years to fully utilise. This remarkable timeframe exposes the proposed Wattle Grove South rezoning as not just unnecessary, but fiscally irresponsible. When substantial Urban-zoned land remains undeveloped, converting Rural areas represents poor resource management and undermines strategic planning principles.

Environmental imperatives: Urban Monitor 11 goes beyond simple land availability calculations to highlight Urbanisation's profound environmental costs. These include:

- Deteriorating air and water quality
- Creation of Urban heat islands
- Accelerating biodiversity loss
- Climate change impacts

These findings strongly advocate for preserving existing green spaces, particularly in environmentally sensitive foothills areas like Wattle Grove South. As cities grapple with climate change challenges, maintaining these natural buffers becomes increasingly critical for ecological resilience.

Strategic importance of Rural preservation: State Planning Policy 2.5: Rural Planning explicitly acknowledges that opportunities for Rural living within the Perth and Peel regions are becoming increasingly scarce. The North-East Sub-Regional Planning Framework reinforces this position, indicating that new Rural residential developments beyond those already identified will likely face WAPC opposition.

This scarcity transforms Wattle Grove South's current Rural zoning from merely beneficial to strategically essential. It represents one of the metropolitan area's diminishing Rural lifestyle opportunities — a valuable asset that, once lost to Urbanisation, cannot be replaced. The area's preservation as Rural land thus serves dual purposes: maintaining vital lifestyle diversity while protecting irreplaceable environmental values.

Given Perth's extensive existing Urban development capacity, combined with the increasing rarity of Rural spaces and pressing environmental considerations, the proposed rezoning of Wattle Grove South stands revealed as unnecessary, environmentally harmful and contrary to strategic planning principles. The evidence overwhelmingly supports maintaining its current Rural zoning to preserve both lifestyle opportunities and critical environmental values for future generations.

Mischaracterisation of Amendment: The presentation of this Amendment as a minor modification fundamentally misrepresents its transformative scale and far-reaching implications. This proposal represents nothing less than a complete reimagining of Wattle Grove South's character and function, with impacts that would irreversibly alter both the physical and social fabric of the area.

The sheer magnitude of the proposed changes defies any "minor" classification. The Amendment envisions a dramatic intensification of development, introducing over 1,000 new

dwelling into an area currently characterised by Rural living. Perhaps most telling is the radical reduction in lot sizes — from the current expansive 10,000+ square metre Rural properties to dense Urban lots of 375 square metres or less. This represents not merely a change in zoning, but a fundamental shift in the area's identity and purpose.

Infrastructure and access implications: This transformation becomes even more significant when considered alongside the area's current infrastructure limitations. Wattle Grove South lacks the most basic requirements for high-density Urban development, including reticulated sewerage and gas networks.

The proposed influx of residents would necessitate not just infrastructure installation, but a complete reconstruction of the existing road network to accommodate the massive increase in traffic volume.

Strategic planning implications: The WAPC's mandate extends beyond mere land-use administration — it carries the responsibility for maintaining a coherent, sustainable vision for Western Australia's long-term development. This Amendment, far from being a minor adjustment, represents a departure from strategic planning principles that risks setting a concerning precedent for future development.

To characterise such extensive changes as “minor” not only understates their impact but potentially circumvents the rigorous evaluation process such significant transformations demand. This proposal requires comprehensive assessment of its full implications — environmental, infrastructural and social — rather than the expedited consideration often afforded to minor Amendments.

The evidence clearly demonstrates that this Amendment's scope and impact demand thorough scrutiny and evaluation commensurate with its true transformative nature. Treating it as anything less than a “major” Amendment would compromise the integrity of the planning process and potentially jeopardise the WAPC's ability to fulfill its strategic planning responsibilities.

Contradiction to State Planning Framework: The proposed rezoning of Wattle Grove South fundamentally conflicts with Western Australia's established planning framework — a carefully constructed system of policies designed to ensure orderly, sustainable development. The proposal not only contradicts current land use designations but also undermines longstanding environmental protections.

Historical protection status: The Department of Planning, Lands and Heritage (DPLH) confirmed in 2019 that the Rural areas along Welshpool Road East form part of a protected landscape:

“... the Rural areas either side of Welshpool Rd East form part of the broader Foothills Rural area which has, since 1992, been protected from more intensive development as reflected by the ‘Landscape Protection’ classification for the Foothills Rural land in the Foothills Structure Plan ...”

Multiple policy conflicts: The proposal contradicts several key planning instruments:

- Metropolitan Region Scheme (MRS): Currently designates the area as Rural
- Foothills Structure Plan (active until 2025): Maintains Rural classification
- Perth and Peel @ 3.5 Million North-East Sub-Regional Framework: Due for review three years ago, only tentatively suggests Urban expansion potential.

Compromised community consultation: The Framework’s evolution raises serious procedural concerns. Its 2015 draft initially preserved Wattle Grove South’s Rural status, aligning with both the MRS and Foothills Structure Plan. However, this was altered at the then-Shire of Kalamunda’s request without community consultation — effectively silencing resident input on this significant change.

Framework’s critical caveat: The 2018 Framework explicitly warns against interpreting Urban expansion designations as development guarantees:

“The classification of existing special Rural zoned areas as Urban investigation or Urban expansion should not be interpreted as a commitment by the WAPC to endorse any rezoning or support for the increased development of these areas at a higher density. Such decisions hinge on the outcomes of subsequent planning investigations.” (2018 Northeast Sub-Regional Framework)

This cautionary statement reinforces the WAPC’s discretionary power and obligation to protect areas of significant landscape character and to avoid bushfire prone areas. Given these multiple policy conflicts, compromised consultation processes and the Framework’s explicit cautions, this submission strongly advocates for the WAPC to:

- Reject the provisional “Urban expansion” designation
- Maintain the area’s Rural zoning within the MRS
- Uphold the longstanding landscape protection principles that have guided development in this region since 1992

This approach would align with the State Planning Framework's core principles of preserving and enhancing areas of landscape character, while maintaining the integrity of Western Australia's planning system.

Contradiction to state planning strategy: The State Planning Strategy 2050 stands as Western Australia's highest planning policy document, establishing six fundamental principles to guide development. The proposed Amendment for Wattle Grove South fails to meet four of these critical benchmarks, undermining the Strategy's vision for sustainable, community-oriented development. The benchmarks are as follows:

- i. Community identity under threat - The Amendment directly challenges the Strategy's *Community* principle by threatening to dismantle Wattle Grove South's established Rural character and community identity. This is not merely about changing land use — it's about erasing a way of life that residents have deliberately chosen and nurtured over generations.
- ii. Environmental protection compromised - Violations of the *Environment* principle are particularly severe. The proposal would:
 - Destroy significant biodiversity in an area containing world-renowned Greater Brixton Street Wetlands (GBSW)
 - Eliminate crucial tree canopy that currently helps mitigate Urban heat island effects
 - Disrupt vital ecological linkages supporting threatened flora and fauna
 - Replace natural assets with over 1,000 dwellings, contradicting both the Strategy's sustainability objectives and Liveable Neighbourhoods guidelines as well as its bushfire risk objectives

The environmental damage would be particularly significant given Wattle Grove South's strategic position within the broader Perth hills ecosystem. This environmental degradation directly contradicts climate change mitigation objectives and sustainability requirements.

- iii. Infrastructure planning disrupted - The proposal fundamentally conflicts with the infrastructure principle by:
 - Bypassing integrated and staged development processes
 - Disrupting existing infrastructure planning sequences
 - Potentially forcing agencies to "leapfrog" over areas already approved for development.

iv. Governance standards compromised - The Amendment process has failed to meet the Strategy's *Governance* principle, which demands planning be "participatory, collaborative, accountable, transparent and responsive". Community concerns centre on:

- Inadequate and potentially biased consultation processes by the City of Kalamunda
- Non-disclosure of the Amendment's lodgement during ongoing community consultations
- Lack of transparency in decision-making processes

The timing of the Amendment's lodgement — while community consultations were still in progress and without public notification — particularly exemplifies this failure of governance standards.

These multiple violations of core planning principles demonstrate that the Amendment is fundamentally misaligned with the State Planning Strategy 2050's vision for Western Australia's development. Rather than advancing strategic planning objectives, it threatens to undermine them across multiple critical dimensions.

State planning policies ignored or breached: The proposed Amendment for Wattle Grove South not only conflicts with fundamental State Planning Policies (SPPs) but notably fails to consider several crucial policies in its evaluation. This oversight undermines the comprehensive assessment process required for such significant land use changes.

Location conflicts with core planning principles: State Planning Policies explicitly prioritise development in areas with established infrastructure and connectivity. Wattle Grove South fails these basic criteria:

- Remote from activity centres
- No access to high-frequency public transport
- Disconnected from major employment zones
- Lacks essential Urban infrastructure
- In a bushfire prone area.

Environmental and climate change considerations: The foothills' current low-density landscape serves critical environmental functions:

- Maintains permeable surfaces crucial for climate change mitigation
- Contributes significantly to the region's livability
- Preserves natural drainage patterns
- Supports biodiversity and ecological corridors.

Incomplete policy assessment: While the Amendment Report acknowledges five relevant policies as follows, it conspicuously omits crucial policies that should inform this decision-making process. The report acknowledges:

- SPP 2.8 (Bushland Policy)
- Draft SPP 2.9 (Water Planning)
- SPP 3.7 (Bushfire Prone Areas)
- SPP 4.1 (Industrial Interface)
- SPP 5.4 (Road and Rail Noise)

But it overlooks a critical bushfire risk update and other policies discussed below:

- SPP 3.7 - Bushfire and the Planning for Bushfire Guidelines
- SPP 2.5 - Rural Planning
- SPP 2.0 - Environment and Natural Resources Policy
- SPP 3.0 - Urban Growth and Settlement

The failure to fully consider all relevant State Planning Policies, particularly in light of updated bushfire risk requirements, reveals significant flaws in the Amendment's evaluation process.

This incomplete assessment, combined with the area's unsuitable location and environmental significance, provides compelling evidence against the proposed rezoning.

State Planning Policy 3.7 - Bushfire and the Planning for Bushfire Guidelines: The policy exists to protect lives and communities from bushfire risk. Increasing population density in bushfire-prone areas directly undermines this core policy objective — a fact starkly illustrated by Wattle Grove South's documented history of severe bushfire threats and significant incidents (see Appendix A). The recent revisions to SPP 3.7 (September 2024) have strengthened protective measures, making our concerns even more urgent.

Under SPP 3.7, the Amendment area qualifies as Broader Landscape Type B — indicating severe bushfire risk due to its location within vast tracts of flammable vegetation and high potential for catastrophic fires threatening lives and property. Critical evaluation concerns for the safety of residents and livestock, particularly during evacuation, include:

- Limited access routes concentrated through the already congested Tonkin Highway/Welshpool Road East intersection
- Crystal Brook Road — the sole evacuation route — is heavily tree-lined and vulnerable to blockage from fire or fallen trees

- Transport Minister Saffioti has identified this section of Tonkin Highway as “notorious bottleneck”
- Increased population density would severely compromise emergency evacuation and response times
- Horse evacuation requires additional time and specialised transport, further complicating emergency response

The proposal fails to meet SPP 3.7 requirements by:

- Providing insufficient asset protection zones given the landscape-scale fire risk
- Lacking adequate access/egress routes for the proposed population
- Not meeting bushfire management guidelines for high-risk areas
- Introducing additional risks from the proposed industrial zone, including potential
- chemical fires

Historical evidence confirms Wattle Grove South’s vulnerability to severe bushfires, with documented evacuations and property damage, as shown in Appendix A. The area’s topography and vegetation amplify these risks. While SPP 3.7 requires strict planning controls in bushfire-prone areas, this proposal’s high-density approach cannot adequately address safety requirements.

The WAPC must prioritise community safety over development. Rural residential lots of one hectare or larger remain the only sustainable option for this high-risk location. Given the unmitigable risks to human life and property, MRS Amendment 1388/57 should be rejected.

State Planning Policy 2.5 - Rural Planning: The policy serves as the fundamental framework guiding government decisions on Rural land use. The Amendment Report’s disregard for this policy in an area zoned Rural under the MRS and special Rural under the Local Planning Scheme (LPS) raises serious concerns.

Clause 6.4 sets strict requirements for any proposed changes to Rural zoning. Specifically, clause 6.4(c)(i) states that decision-makers must verify a site’s capacity to handle proposed changes and only approve developments that align with established planning strategies. Exceptions are permitted only under extraordinary circumstances where proposals exceptionally serve WAPC policy objectives.

The exact wording of the clause reinforces this requirement. Decision-makers must consider

“the capacity of the site to accommodate the proposed zone/land use impacts and only support proposals which are consistent with endorsed planning strategies, or in exceptional circumstances, where the amendment meets the objectives and intent of WAPC policy.” (our emphasis)

The proposed MRS Amendment 1388/57 fails on both counts. It contradicts the active Foothills Structure Plan (effective until 2025) and presents no exceptional circumstances to justify this deviation.

Moreover, introducing high-density housing into this environmentally sensitive Rural area would be ecologically devastating. This ad hoc development would not only damage an established Rural landscape but also set a dangerous precedent, potentially triggering further erosion of Perth's diminishing natural habitats.

State Planning Policy 2.0 - Environment and Natural Resources Policy: While SPP 2.0 mandates the protection of natural environments and open spaces, particularly in environmentally significant areas, this proposed Amendment threatens these core objectives. The policy's environmental protection aims stand in direct opposition to the Amendment's likely outcomes:

- Destruction of vital environmental values
- Loss of existing tree canopy
- Degradation of local flora and fauna habitats
- Unacceptable impacts on the Greater Brixton Street Wetlands

Neither the WAPC nor the developer has demonstrated how these significant environmental impacts could be adequately avoided, mitigated or offset. This failure to address environmental stewardship raises serious concerns about the Amendment's compatibility with established protection frameworks. Beyond environmental concerns, SPP 2.0 emphasises several critical factors the Amendment fails to address:

- Preservation of community character and heritage values of Wattle Grove South
- Meaningful community engagement in planning processes
- Prioritisation of the “common good” over private profit
- Recognition of “community lifestyle” preferences

Significantly, the WAPC has not provided evidence that the developer has secured majority landowner consent for the proposed Amendment. Without such evidence, this proposal risks being viewed as a private entity's “land grab”. The WAPC, as

guardian of public interest, must ensure planning decisions align with community wellbeing and the broader public good.

The Amendment report's failure to address SPP 2.0 requirements is a critical oversight. Given the unacceptable environmental damage this Amendment would cause — affecting flora, fauna, water resources and tree canopy — and its disregard for community interests, the proposal should be rejected.

State Planning Policy 3.0 - Urban Growth and Settlement: The policy recognises that Urban expansion creates intense pressure on valuable land and water resources while imposing extraordinary infrastructure costs. The proposed MRS Amendment 1388/57 conflicts with this policy in several critical ways. The Amendment fails to meet SPP 3.0's sustainable development principles by:

- Lacking comprehensive strategies for natural resource management
- Entirely relying on uncertain future local planning provisions
- Failing to integrate land use and transportation planning (a core element of SPP 3.0)
- Not adequately promoting social, environmental and economic well-being

Of particular concern is the Amendment's impact on environmental protection. Urban rezoning would:

- Remove existing protections for native plants and trees under the Environmental Protection Act 1986
- Enable unrestricted vegetation clearing without penalties
- Inflict irreversible impacts on the Greater Brixton Street Wetlands
- Incentivise complete clearing of land to maximise development potential
- Mirror concerning patterns seen in nearby developments, such as the Roe Logistics Park, where residents witnessed widespread clearing of native vegetation by the same developer, Hesperia Pty Ltd.

SPP 3.0 specifically addresses Rural-residential living in clause 5.6, stating that: "Rural residential living is an important component of the settlement pattern in Rural areas of the State. Rural-residential development also provides for lifestyle choice." This provision becomes even more significant given SPP 2.5's recognition that Rural living opportunities in Perth and Peel regions are increasingly limited.

Given these constraints, maintaining Wattle Grove South's current Rural zoning is crucial. It represents one of the few

remaining opportunities for Perth residents to pursue Rural residential lifestyles, making its preservation all the more important within the broader planning framework.

Lack of Community Consent: The proposed Amendment proceeds despite overwhelming community opposition, demonstrated through multiple formal rejections:

- 97% of property owners opposed industrial rezoning.
- 75% rejected Urban rezoning proposals.
- 145 submissions opposed the advertised Crystal Brook Urban Concept Plan versus only 2 in support.
- 797 residents formally petitioned against the Urban concept plan.

Despite this clear public mandate, the City of Kalamunda has:

- Failed to consult property owners about the current proposal
- Unilaterally developed an alternative Urban concept plan without public input
- Allowed this internally produced plan to form the basis of Hesperia Pty Ltd's Amendment
- Effectively dismissed documented community opposition

This systematic disregard for community input violates fundamental democratic principles in planning. The WAPC, bound by both legal and ethical obligations to honour community perspectives, cannot support an Amendment that:

- Contradicts clearly expressed community wishes
- Bypasses transparent planning processes
- Undermines democratic participation
- Ignores the voices of affected residents
- Approving this Amendment would not only override documented community opposition but would set a dangerous precedent for circumventing democratic planning processes.

Environmental Concerns: The WAPC's proposal to rezone 126 hectares of Rural land in Wattle Grove South to Urban use presents severe and irreversible environmental threats. Our detailed analysis, supported by EcoVision's EPA submission, demonstrates that MRS Amendment 1388/57 fundamentally fails to protect critical environmental values.

The proposal endangers the internationally significant Greater Brixton Street Wetlands (GBSW), threatening species and unique ecological communities while relying on flawed hydrological modelling. The extensive mapped hydroplain of the GBSW directly beneath the proposed Amendment area underscores the

folly of this Urban rezoning effort and undermines Hesperia's claim that it "excludes the GBSW".

The submitter has included a depiction the hydroplain of the GBSW (as mapped by University of WA Lecturer, Daniel Martin, an expert in environmental planning and geospatial analysis) extending beneath the Amendment area and beyond.

Even with the acknowledged imprecision in the Amendment area's exact placement, the map clearly demonstrates the substantial overlap between the hydroplain and the proposed development zone, challenging Hesperia's claim that its proposal "excludes the GBSW.

Additional critical environmental impacts include the destruction of black cockatoo habitat, loss of threatened ecological communities and inadequate assessment of cumulative effects. A significant concern is the WAPC's decision to delegate environmental review responsibilities to the developer, Hesperia Pty Ltd — a legally unsound and ethically compromised arrangement that invalidates the entire review process. This concern is discussed further below.

Moreover, the proposed mitigation measures fall drastically short of addressing these substantial environmental risks. These issues are thoroughly detailed in our EPA submission, which should be considered alongside this document. Given the overwhelming evidence of environmental damage and the compromised review process, rejecting the Amendment is imperative.

Procedural Irregularities in Environmental Review: The WAPC's decision to delegate environmental review responsibilities to Hesperia Pty Ltd represents a serious breach of good governance. While this arrangement may appear expedient, it creates an irreconcilable conflict of interest.

As the potential developer, Hesperia Pty Ltd stands to gain substantial financial benefits from the Amendment's approval, which would significantly increase their land value.

This direct pecuniary interest fundamentally compromises their ability to conduct an objective environmental review, rendering the entire assessment process unreliable and ethically unsound.

Likelihood of Bias: Consultants hired and paid by developers face inherent pressure to produce findings that serve their employer's commercial interests. This compromised position inevitably leads to biased reporting through downplaying environmental impacts, overstating benefits, selectively presenting data and minimising alternative approaches.

This bias is not speculative — it is clearly evidenced in Hesperia Pty Ltd’s commissioned reports for MRS Amendment 1388/57. Their own documentation reveals this inherent prejudice, with two reports explicitly stating their purpose as “supporting” the proposed Amendment. Both the Water Balance Assessment and District Water Management Strategy openly declare their role in advancing Hesperia’s development agenda, rather than providing independent environmental analysis.

- *“This document outlines a water balance assessment (WBA) prepared to support the environmental review document (ERD) for MRS Amendment 1388/57.” (Water Balance Assessment)*
- *“Hyd2o was commissioned by Hesperia to prepare this District Water Management Strategy (DWMS) to support the proposed metropolitan region scheme amendment for land within Wattle Grove known as the Wattle Grove South residential estate.” (Wattle Grove South District Water Management Strategy)*

Such declarations expose these reports for what they truly are: advocacy documents designed to facilitate development approval rather than objective environmental assessments. This systematic bias undermines the entire environmental review process and its credibility.

Obscured Authorship Undermines Public Trust: The Environmental Review document represents a serious breach of transparency and public trust. While appearing as an official EPA assessment on their website, this document was authored by Hesperia Pty Ltd — a crucial fact deliberately obscured from public view. More concerning still, the document falsely presents itself as “the report by the Responsible Authority (the WAPC) on their environmental review”.

This deception extends beyond simple administrative oversight. The document appears carefully constructed to present a developer’s self-assessment as an independent government review.

Hesperia’s authorship is strategically minimised, buried almost exclusively in reference lists, while the document masquerades as official EPA work.

The WAPC’s role in this misrepresentation is particularly troubling. Not only did they improperly delegate their environmental review responsibilities to the developer, but they actively participated in concealing this arrangement from public scrutiny. This dual misconduct — allowing a developer to write their own environmental review while helping to hide this fact — represents a fundamental betrayal of public trust.

Such manipulation of environmental protection processes raises serious questions about the WAPC's commitment to its statutory responsibilities and its role as guardian of public interest.

Legal and Statutory Violations: The WAPC's delegation of governmental environmental review responsibilities to private developer Hesperia Pty Ltd violates multiple provisions of the:

Environmental Protection Act 1986 (WA)

- Section 4A's mandate "to protect the environment of the State" is compromised when developers assess their own environmental impacts.
- Section 38(1)'s requirement for independent expert assessment is undermined by allowing developer self-assessment.
- Section 40(2)(b) grants the EPA authority over the form, content, timing and procedure of environmental reviews — authority now improperly transferred to a developer.

Planning and Development Act 2005 (WA) The delegation breaches the WAPC's core statutory responsibilities:

- Section 14(a)(ii) of the Act requires WAPC-led coordination of development and infrastructure planning, including environmental considerations. This planning function cannot lawfully be delegated to a private entity with conflicting interests.
- Section 15(b) mandates WAPC guidance on planning matters to regional and local governments — a responsibility abandoned through this delegation.

Compromising Public Trust and Procedural Fairness: This delegation:

- Undermines public confidence in government oversight.
- Violates expectations of impartial assessment.
- Creates dangerous precedent for developer self-regulation.
- Weakens environmental protections statewide.

Precedent and Long-Term Consequences: The shift away from independent review threatens to fundamentally weaken Western Australia's environmental protection framework, potentially causing irreversible damage to our state's natural heritage. If this delegation is allowed to stand, it sets a dangerous precedent for future planning decisions in Western Australia:

- It paves the way for other developers to seek similar self-assessment privileges.
- It facilitates the replacement of independent oversight with developer-led assessments, leading to a cascade of

compromised environmental reviews, each conducted by parties with vested financial interests in minimising environmental impacts

- It will result in the systemic erosion of environmental safeguards statewide.

Contravention of Best Practice: The delegation contradicts established environmental assessment principles:

- Ignores international standards for independence (International Association for Impact Assessment)
- Disregards fundamental requirements for impartial review
- Sets dangerous precedent for future planning decisions

This systematic violation of legal requirements and best practices renders the environmental review process fundamentally flawed and legally vulnerable.

Legal Vulnerability: This delegation exposes any subsequent approval of the MRS Amendment to legal challenge:

- Courts consistently reject processes tainted by bias.
- Clear conflicts of interest provide grounds for judicial review.
- Any approval based on Hesperia's review risks invalidation.

Incompatible Landuse Mix: The proposed Urban rezoning creates dangerous land use conflicts by positioning residential development directly adjacent to Tonkin Highway and near the City of Gosnells' industrial zone. This arrangement ignores fundamental planning principles that require buffer zones between incompatible land uses.

The six-lane Tonkin Highway, projected to carry over 50,000 vehicles daily — including 13% heavy vehicles — poses significant risks to future residents. Despite the developer's claims, the highway itself cannot serve as an adequate buffer zone. Instead, it represents a source of serious health and safety concerns:

- Excessive traffic noise
- Air quality degradation
- Safety risks
- Environmental health impacts

The proposal also fails to protect existing Rural residential properties designated as "Landscape Protected" by the Department of Planning, Lands and Heritage. Without proper transitional zoning, these properties face inevitable degradation of their Rural amenity.

This disregard for basic planning principles and community safety creates an unacceptable risk to both future and existing residents. The absence of appropriate buffer zones renders this Amendment fundamentally flawed from a statutory planning perspective.

Fragmentation of Rural Land: The proposed Amendment would carve an isolated Urban pocket into an established Rural landscape, creating an artificial island with Rural land on three sides. This fragmentation violates efficient planning principles and creates multiple challenges:

- The disconnected Urban zone would struggle to integrate with existing infrastructure, particularly critical services like reticulated sewerage and gas. This isolation not only increases development costs but also risks ongoing operational inefficiencies.
- More concerning is the inevitable conflict between Urban and Rural activities. The sudden insertion of Urban density into a Rural setting creates friction points that threaten both the new development's viability and the surrounding Rural community's established way of life.
- This artificial fragmentation of Rural land represents poor planning practice and sets a dangerous precedent for future Rural land management.

Inducement to Sprawl: Approving this Urban rezoning would breach a critical Rural buffer, creating a dangerous precedent for unrestricted Urban sprawl. This short-sighted decision would not only trigger pressure for further Rural land conversion but would severely undermine regional planning efforts to address climate change. By fragmenting Rural land now, we limit our future capacity to implement comprehensive, climate-responsive development strategies.

Conclusion: The proposed Amendment fundamentally threatens Wattle Grove South's environmental values, community character and residents' wellbeing.

This threat comes at a critical time when COVID-19 has highlighted the essential value of spacious, nature connected living environments, and when climate change demands preservation of Rural spaces that mitigate Urban heat and support biodiversity. The proposal fails on multiple critical fronts:

Legal and Policy Compliance

- Contradicts Metropolitan Region Scheme and Foothills Structure Plan.
- Violates principles of State Planning Strategy 2050.

- Disregards key State Planning Policies (SPP 2.0, 2.5, 3.0 and 3.7).
- Breaches WAPC responsibilities under *Planning and Development Act 2005*.

Environmental and Planning Integrity

- Compromised environmental review process.
- Creation of isolated Urban development in bushfire-prone area.
- Lack of transitional zoning between incompatible land uses.
- Fragmentation of valuable Rural land.
- Unresolved land use conflicts.

Community Rights and Democratic Process

- Absence of community consent.
- Disregard for democratic planning processes.
- Potential involuntary displacement of residents.
- Prioritisation of private profit over public interest.

The WAPC must reject this fundamentally flawed Amendment that threatens to sacrifice long-term community and environmental interests for short-term developer profit.

Instead, we need planning decisions that uphold ecological sustainability, ensure community safety and protect Rural residential lifestyle choices for Perth's future generations.

Approving this Amendment would not only contradict sound planning principles but would set a dangerous precedent for future development in Western Australia's Rural areas. The WAPC must stand firm in its role as guardian of public interest and reject this proposal.

Recommendations

The submitter requests that the WAPC take the following immediate actions:

- Revoke Hesperia Pty Ltd's environmental review delegation and commission truly independent experts to assess Urbanisation impacts.
- Implement policy prohibiting delegation of environmental reviews to financially interested parties.
- Strengthen WAPC and EPA processes to ensure impartial environmental assessments.
- Review legislation to explicitly ban such delegations.
- Develop a coordinated GBSW protection plan involving all stakeholders, including Traditional Owners, and preserving

the critical hydroplain that extends beneath the Amendment area.

- Reclassify as “major” the proposed Amendment due to significant impacts.

Refer to the submissions section of the report for a full copy of the written submission and supporting documents.

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Conflict of Interest and Procedural Concerns: The WAPC’s delegation of the environmental review to Hesperia Pty Ltd, while practically expedient, creates an irreconcilable conflict of interest:

- Hesperia Pty Ltd has a direct pecuniary interest in the outcome of the environmental review and the subsequent decision on the MRS Amendment.
- The approval of the Amendment would significantly increase the value of the land Hesperia Pty Ltd seeks to develop.
- This clear financial motivation undermines the objectivity and credibility of any environmental review they produce.

Likelihood of Bias: A consultant hired and paid for by a developer faces obvious pressure to produce reports that align with their employer’s commercial interests. Thus, any environmental review report produced under these circumstances is inherently biased in favour of the developer and their rezoning proposal. This bias may manifest in various ways, including:

- downplaying potential environmental impacts
- over-emphasising potential benefits
- selective presentation of data
- inadequate consideration of alternatives

The risk of bias in this situation is not merely theoretical. It is an inherent and unavoidable consequence of improper delegation.

For example, direct evidence of bias in the environmental review for MRS Amendment 1388/57 is apparent in two key accompanying reports commissioned by Hesperia Pty Ltd. These reports explicitly state their purpose as supporting the proposed amendment:

- *“This document outlines a water balance assessment (WBA) prepared to support the environmental review document (ERD) for MRS Amendment 1388/57.” (Water Balance Assessment)*

- “Hyd2o was commissioned by Hesperia to prepare this District Water Management Strategy (DWMS) to support the proposed metropolitan region scheme amendment for land within Wattle Grove known as the Wattle Grove South residential estate.”

(Wattle Grove South District Water Management Strategy)

Obscured Authorship: The Environmental Review document misleads the public about who wrote it. While hosted on the EPA website and presented as if it were an official EPA report, it was written by Hesperia Pty Ltd– a fact buried in the documentation. This deception is even more serious because the document falsely claims to be “the report by the Responsible Authority (the WAPC) on their environmental review”. By obscuring Hesperia’s authorship, this presentation breaches both public trust and administrative transparency requirements.

Such misrepresentation goes beyond mere administrative failure. The document appears deliberately crafted to pass off a developer’s self-assessment as an independent government review. Hesperia’s authorship is actively downplayed, buried almost exclusively in the reference list, while the document masquerades as an official EPA assessment.

The WAPC’s misconduct is twofold: first allowing Hesperia to write its own environmental review, then helping to conceal this arrangement from public view. This lack of transparency compounds the conflict of interest inherent in the WAPC’s improper delegation of its environmental review responsibilities.

Such manipulation destroys public trust in environmental protection processes and raises fundamental questions about whether the WAPC can be trusted to uphold its statutory responsibilities.

Legal and Statutory Violations: The delegation of governmental responsibilities to private entities with direct pecuniary interests contradicts the stated purposes and provisions of relevant legislation:

Environmental Protection Act 1986 (WA)

- Section 4A: states the object of the Act is “to protect the environment of the State”. This cannot be achieved if those with vested financial interests in development are allowed to assess their own environmental impacts.
- Section 38(1): empowers the EPA to require an environmental review. This power is granted to ensure independent expert assessment – not to facilitate self-assessment by developers.

- Section 40(2)(b): requires the EPA to determine the form, content, timing and procedure of environmental reviews. By allowing Hesperia Pty Ltd to conduct the review, the WAPC has usurped/undermined this statutory function of the EPA.

Planning and Development Act 2005 (WA)

- Section 14(a)(ii): charges the WAPC with the responsibility to “plan for the coordinated provision of transport and infrastructure for land development”. This planning function inherently includes consideration of environmental impacts, which cannot lawfully be delegated to a private entity with conflicting interests.
- Section 15(b): requires the WAPC to “provide guidance on planning and development matters to regional and local governments”. By delegating the environmental review, the WAPC abdicates this guidance role on a critical planning matter.

Undermining Public Trust and Procedural Fairness: The delegation of this review compromises the integrity of the entire planning process:

- The public relies on government agencies to conduct fair, impartial assessments of development proposals, particularly those with significant environmental implications.
- Allowing a developer to essentially self-assess their own proposal erodes public confidence in the planning system and raises serious questions about procedural fairness.

Precedent and Long-Term Consequences: If this delegation is allowed to stand, it sets a dangerous precedent for future planning decisions in Western Australia:

- It opens the door for other developers to argue for similar self-assessment privileges.
- It could lead to a systemic weakening of environmental protections across the State.

Legal Vulnerability: This delegation exposes any subsequent approval of the MRS Amendment to potential legal challenge:

- The courts have consistently held that decision-making processes must be free from bias or the appearance of bias.
- The clear conflict of interest in this case could provide grounds for judicial review, potentially invalidating any approval granted based on the environmental review created by Hesperia Pty Ltd.

Contravention of Best Practice: The delegation to Hesperia Pty Ltd flagrantly disregards established best practices:

- Internationally recognised environmental assessment principles, such as those outlined by the International Association for Impact Assessment, emphasise the importance of independence and impartiality in environmental reviews.

Unacceptable Impacts

Key Environmental Factor: Inland Waters

EPA Objective: To maintain the hydrological regimes and quality of groundwater and surface water so that environmental values are protected.

The proposed MRS Amendment 1388/57 fails to meet this objective and poses unacceptable risks to the hydrological integrity of the GBSW and surrounding ecosystems.

Potential Impacts

- Alteration of surface and groundwater flows critical to maintaining the GBSW
- Increased stormwater runoff and pollutant loads to sensitive wetland systems
- Disruption of groundwater-dependent ecosystems
- Loss of water retention and filtration functions provided by existing permeable Rural land uses

Key Concerns

Inadequate consideration of the GBSW hydroplain: The GBSWs fall within the purview of an “environmentally sensitive area” as per the provisions of Section 51B of the EPA Act.

Research conducted by University of Western Australia Lecturer, Daniel Martin, an expert in environmental planning and geospatial analysis, definitively establishes that the GBSW subsurface hydroplain extends beneath the entire MRS Amendment area and continues into surrounding regions of Wattle Grove South and the Darling Scarp.

Even with the acknowledged imprecision in the Amendment area's exact placement, the map clearly demonstrates the substantial overlap between the hydroplain and the proposed development zone, challenging Hesperia's claim that its proposal "excludes the GBSW.

This misunderstanding of wetland boundaries reveals a critical flaw in the hydrological assessment. A wetland system is not limited to what can be seen on the surface — it comprises both its visible water features and the underlying hydroplain that makes their existence possible. Indeed, Schedule 1 in SPP 2.9 makes it clear that planning actions must be informed by identifying all water resources above and below ground in the subject area, with current or potential value to the community and the environment.

The hydroplain is not merely connected to these wetlands – it is their life support system, the essential subsurface foundation that sustains their ecological functions. Consequently, any meaningful protective buffer must be measured from the full extent of the hydroplain, not arbitrarily from visible surface features.

Hesperia’s approach to a buffer zone measured only from surface water ignores this fundamental scientific reality and fails to protect the wetland system’s true boundaries.

Flawed hydrological modelling: The environmental review contradicts itself on water impacts.

While acknowledging the Amendment will change existing surface and groundwater cycles, it simultaneously claims these changes will not be significant – a logical impossibility.

Hesperia’s water balance calculations rest on dubious assumptions and critically fail to:

- model worst-case scenarios.
- assess cumulative impacts.
- explain how Urbanisation’s profound changes to the landscape could maintain predevelopment water flows.

These fundamental gaps in Hesperia’s analysis make clear that only independent hydrological modelling can properly assess the amendment’s impacts.

Underestimated surface water impacts: Increased runoff threatens wetland survival: The environmental review predicts a massive increase in surface water flow towards the GBSW – an additional 24,524 kL annually.

This includes 5,192 kL/year through the Boundary Road culvert and 19,332 kL/year towards the Maddington Kenwick Strategic Employment Area (MKSEA) open drainage system.

Even these concerning figures likely underestimate the true impact that could overwhelm these sensitive ecosystems, leading to degradation of water quality in sensitive areas.

The review's claims about nutrient control are unproven. Hesperia's assertion that development will reduce nutrients (by 63% for nitrogen and 60% for phosphorus) relies entirely on optimistic assumptions about water-sensitive Urban design. These projected reductions depend on perfect implementation and ignore the reality that full development will likely increase stormwater volumes far above current levels, potentially flooding these delicate wetlands with harmful nutrients.

Groundwater mound disruption: Unassessed risks from major hydrological changes: The environmental review fails to analyse how ending turf farm irrigation will alter the local groundwater mound – a change that could significantly impact both regional hydrology and the GBSW. This represents another critical gap in understanding the amendment's true environmental impacts.

Inadequate buffer zone methodology: Flawed wetland boundary definitions threaten ecosystem protection.

Hesperia's approach to measuring buffer zones from visible wetland edges ignores critical hydrological science. A wetland ecosystem encompasses not just surface water features but also, the mapped subsurface hydroplains and interconnected hydrological systems.

Failing to measure buffer zones from the outer boundary of the mapped hydroplains creates artificial distinctions that could compromise the entire wetland protection framework. This scientifically unsound approach risks leaving crucial parts of the wetland system vulnerable to development impacts and undermines the fundamental purpose of buffer zone regulations.

Unaddressed cumulative impacts: The assessment ignores critical combined effects of regional development.

The environmental assessment takes a dangerously narrow view by examining this development in isolation. The EPA's own guidance document, Environmental values and pressures for the Greater Brixton Street Wetlands on the Swan Coastal Plain, Advice in accordance with section 16(j) of the Environmental Protection Act 1986 ("the EPA Advice") explicitly requires consideration of cumulative impacts on this significant wetland system.

By failing to analyse how this development would interact with other planned projects in the catchment area, the assessment presents an incomplete and potentially misleading picture of

environmental impacts. This oversight could lead to death by a thousand cuts for these critically important wetlands.

Climate change vulnerability: Urbanisation amplifies environmental risks in a changing climate.

The proposal fails to adequately address how increased Urbanisation will compound climate change threats to this sensitive ecosystem. As the EPA Advice explicitly warns, climate change will significantly affect wetland hydrology through altered rainfall patterns and more frequent extreme weather events. The development would reduce the wetlands' natural resilience exactly when they need it most, potentially creating a perfect storm of environmental stressors that could irreversibly damage this unique ecosystem.

Inadequate monitoring and enforcement: Weak oversight threatens long-term wetland protection.

The proposed monitoring program falls critically short of EPA standards for environmental protection. It lacks specific, measurable triggers for intervention and fails to outline legally enforceable remediation measures. This vague approach to oversight directly contradicts the EPA's Advice, which emphasises the necessity for coordinated, long-term management of the wetland system. Without robust monitoring protocols and clear enforcement mechanisms, there can be no genuine guarantee of environmental protection, rendering other safeguards potentially meaningless.

Critical Impacts on Flora and Vegetation

Key Environmental Factor: Flora and Vegetation

EPA Objective: To protect flora and vegetation so that biological diversity and ecological integrity are maintained.

The proposed MRS Amendment 1388/57 fails to meet this objective and, if approved, would severely impact threatened species and ecological communities. This assessment is strongly supported by an independent AECOM report commissioned by the City of Kalamunda, which identified significant conservation values in the area.

The entire AECOM survey area, while larger than the specific Amendment zone, functions as an ecological corridor that facilitates the movement of plants and animals throughout the region, including within the Amendment area. This connectivity is vital for maintaining important biological connections.

Expert evaluations of the AECOM report by Professor Stephen Hopper AC and Dr Alex George AM further underscore the area's ecological importance. Professor Hopper stated:

“The report reinforces that you live in an environmentally sensitive area indeed. It encompasses one Commonwealth threatened ecological community (TEC), three WA listed TECs, one threatened plant listed by WA and the Commonwealth as vulnerable (Conospermum undulatum), two Commonwealth and WA listed threatened Cockatoo species and their foraging and nesting habitat (730 breeding and potential breeding trees were recorded), plus Quenda (a WA Priority 4 – monitoring – species).”

Dr George stated:

“The area lies largely on the Ridge Hill Shelf complex that, even at the time of foundation of Western Australia in 1829, did not cover a large area and has been impacted severely by development. The complex occurs only along the foot of the Darling Scarp in the Perth Metropolitan Area. It contains vegetation and flora that occur nowhere else”.

The AECOM report identifies numerous flora species of conservation significance, including 14 communities and 51 flora species. Within the Amendment area itself, certain segments exhibit good to excellent environmental values that must be considered in decision-making.

It is essential for the EPA and the WAPC to recognise that degraded areas do not justify destroying remaining habitats through Urbanisation. The intact regions are crucial for various flora species of conservation concern, as highlighted in the AECOM report. The potential impacts of Urban development on these valuable ecosystems are substantial, necessitating strong advocacy for their protection against unsustainable development practices.

Notably, one private property earmarked as future public open space by Hesperia Pty Ltd contains the most significant environmental attributes in the planning area, according to the AECOM study. The anticipated recreational use will likely lead to an irreversible loss of biodiversity.

If approved, the Amendment would eliminate existing protections for native plants and trees under Western Australia's Environmental Protection Act 1986. Urban rezoning would remove restrictions on vegetation clearing, prompting many developers to clear all native vegetation early in their projects to maximise usable land and profits without regulatory consequences. This approach poses no penalties or adverse effects for developers who choose complete clearing, making it an attractive strategy to enhance development potential.

Key Concerns

- Exceptional biodiversity value: The AECOM report identifies 14 communities, 51 flora species and 26 fauna species of conservation significance in the survey area, including one Commonwealth threatened ecological community (TEC) and three WA-listed TECs.
- Unique Ridge Hill Shelf Complex: Dr Alex George AM emphasises that the area contains irreplaceable vegetation and flora found only along the foot of the Darling Scarp in the Perth Metropolitan Area.
- Threatened flora: The presence of *Conospermum undulatum* (waxy-leaved smokebush), classified as vulnerable by both WA and Commonwealth authorities, underscores the area's importance for conserving threatened species.
- Inadequate Protection of TECs: The proposal to clear even small areas of critically endangered Banksia Woodlands TEC is unacceptable. The claimed 96.45% retention rate ignores edge effects and long-term viability of isolated patches.
- Questionable offset strategy: Relying on future offsets to compensate for vegetation loss is unacceptable. Prioritising avoidance of such losses is essential, and any proposed offsets must be clearly defined and secured before any approval is considered.
- Fragmentation of ecological linkages: The proposal would further fragment an already
- diminished ecological network, isolating plant populations and reducing genetic diversity.
- Inadequate weed and disease management: Proposed management strategies lack specific, enforceable measures to prevent the spread of weeds and diseases like Phytophthora dieback.
- Threat to unique biodiversity: The EPA's Advice regarding the GBSW highlights its outstanding botanical diversity, with over 650 plant species recorded. The proposed rezoning threatens this globally significant biodiversity hotspot, attributed by the EPA to specialised plant adaptations to the complex soils, chemistry and hydrology of the site.

Threats to Endangered Fauna and Habitat

Key Environmental Factor: Terrestrial Fauna

EPA Objective: To protect terrestrial fauna so that biological diversity and ecological integrity are maintained.

The AECOM report presents compelling evidence of the area's significant ecological value, particularly for threatened fauna. The

survey identifies 26 fauna species of conservation significance, three of which were directly recorded during the assessment:

- Forest red-tailed black cockatoo
- Carnaby's cockatoo
- Southern brown bandicoot (quenda).

Notably, the area plays a critical role in supporting black cockatoo populations, with the survey documenting:

- 730 breeding and potential breeding trees
- 17 trees containing suitable breeding hollows
- 27 hollows suitable for black cockatoo breeding.

Given these findings, the proposed MRS Amendment 1388/57 would have unacceptable impacts on these species and their habitats.

Key concerns

Critical black cockatoo habitat: The AECOM survey recorded 730 breeding and potential breeding trees, including 17 trees with 27 suitable hollows. This significantly exceeds what was acknowledged in the environmental review and highlights the area's crucial importance for these threatened species.

Confirmed presence of threatened species: The report documented three species of conservation significance:

- Forest red-tailed black cockatoo
- Carnaby's cockatoo
- Southern brown bandicoot.

Fragmentation of ecological corridors: The proposed development would sever vital fauna movement pathways, isolating populations and diminishing genetic diversity.

Cumulative impacts ignored: The assessment overlooks the broader context of ongoing habitat loss in the region and its cumulative effects on fauna populations.

Inadequate mitigation measures: Proposed mitigation strategies, such as the District Water Management Strategy, lack clarity and certainty regarding their effectiveness. Relying on future approvals for Local Structure Plans raises questions about accountability and compliance. Without rigorous oversight, these measures may not adequately address potential environmental impacts. Vague proposals like "revegetation" and future "management plans" require clear, quantifiable commitments.

Impacts on other significant fauna: The potential presence of other threatened species, such as the southern brown bandicoot (quenda) has not been sufficiently assessed or addressed.

Long-term viability of retained habitat: Small, isolated patches of retained vegetation are unlikely to support viable fauna populations long term, especially for species sensitive to edge effects and disturbances.

Impact on wetland-dependent fauna: The EPA's Advice regarding the GBSW underscores the importance of the wetlands for waterbirds and frogs during autumn and winter. The proposed rezoning and associated hydrological changes threaten these seasonal habitats and the species that depend on them.

Deterioration of Community Values and Amenity

Key Environmental Factor: Social Surroundings

EPA Objective: To protect social surroundings from significant harm.

While the EPA primarily focuses on environmental protection, the proposed MRS Amendment 1388/57 would have significant negative impacts on social surroundings that are closely tied to environmental values.

Key concerns

Loss of Rural character and amenity: Rezoning would irreversibly change the semi-Rural landscape of Wattle Grove South, negatively affecting the lifestyle and wellbeing of residents who specifically chose to live in this legally protected Rural setting with its defined boundaries. The interests of private commercial developers, advanced through interaction with public authorities, should not be allowed to override the established rights and wellbeing of local residents.

Impacts on Aboriginal cultural heritage: The assessment of potential impacts on Aboriginal heritage values is insufficient. The registered Aboriginal site at Brentwood Road Swamp requires more comprehensive investigation and protection.

Visual impacts on natural landscapes: Proposed Urbanisation would degrade views from surrounding natural areas, including Korung National Park, adversely affecting recreational and aesthetic values.

Loss of ecosystem services: The permeable Rural landscape provides essential ecosystem services such as stormwater

management, carbon sequestration and mitigation of Urban heat islands. Urbanisation would diminish these benefits.

Increased traffic and noise: The significant increase in population density would lead to traffic congestion and noise, degrading the existing peaceful Rural environment.

Pressure on local infrastructure: The Amendment area lacks reticulated sewerage or gas services. Proposed development would strain existing community infrastructure, potentially diminishing the quality of life for current residents. Approval of this amendment would allow developer interests to reshape the local landscape and government processes through an inappropriate rezoning precedent, putting profit ahead of proper infrastructure planning and community needs.

Visual impacts on natural landscapes: Proposed Urbanisation would degrade views from surrounding natural areas, including Korung National Park, adversely affecting recreational and aesthetic values.

Loss of ecosystem services: The permeable Rural landscape provides essential ecosystem services such as stormwater management, carbon sequestration and mitigation of Urban heat islands. Urbanisation would diminish these benefits.

Cumulative impacts on sense of place: Combined with other planned developments in the area, this proposed rezoning contributes to a broader loss of Rural landscapes and connection to nature in Perth's eastern suburbs, contradicting the Foothills Structure Plan, which remains binding until 2025.

Loss of scientific and educational values: The EPA's Advice relating to the GBSW emphasises the international recognition these wetlands receive for their scientific and educational significance. The proposed rezoning threatens these values by potentially altering the unique ecological and hydrological characteristics that make the GBSW an important site for research and learning. Ongoing research and community involvement in monitoring and conservation efforts highlight the wetlands' importance as a resource for education and ecological understanding.

Recommendations

Reject compromised review: The EPA must dismiss the flawed environmental review and uphold the existing Rural zoning in the proposed Amendment area to safeguard these irreplaceable natural resources.

Revocation of delegation: The EPA should instruct the WAPC to immediately retract its delegation to Hesperia Pty Ltd for conducting the environmental review. Instead, the WAPC must engage independent experts to perform a thorough and unbiased assessment of Urbanisation impacts in this sensitive region. It is crucial to understand that a peer review directed by the EPA cannot rectify an inherently flawed process; evaluating a review improperly assigned to Hesperia Pty Ltd only legitimises a biased approach. Subjecting this developer-driven review to peer assessment will only exacerbate the existing conflict of interest.

Prohibit conflicted delegations: Clear policies must be established to prevent delegating statutory environmental review responsibilities to entities with direct financial stakes in the outcomes.

Strengthen internal processes: Both the WAPC and EPA should evaluate and enhance their internal procedures to ensure that all significant planning decisions undergo rigorous and impartial environmental assessments.

Legislative review: The relevant legislation should be scrutinised and amended if necessary to explicitly forbid such delegations of responsibility.

Coordinated management approach: In alignment with the EPA's Advice on the GBSW, a unified management strategy should be developed for the entire GBSW area, encompassing the hydroplain beneath the proposed Amendment area. This initiative should involve all pertinent stakeholders, including Traditional Owners, and be sufficiently funded for effective long-term protection of wetland values.

Independent investigations: Comprehensive, independent hydrological and hydrogeological studies should be conducted to fully assess the potential effects of the proposed rezoning on the GBSW and its hydroplain.

Consider AECOM findings: The EPA should prioritise the findings of the independent AECOM report, which offers a more thorough and impartial evaluation of the area's environmental values compared to the developer-prepared environmental review.

Conclusion

The proposed MRS Amendment 1388/57 for Wattle Grove South presents unacceptable risks to vital environmental values and fails to align with the EPA's objectives across multiple critical areas. The developer and the WAPC have not provided any evidence that the negative impacts can be effectively avoided, mitigated or offset. Moreover, the delegation of environmental

review responsibilities to Hesperia Pty Ltd is not only legally questionable but also ethically compromised, undermining public interest. This action contradicts the goals of both the *Environmental Protection Act 1986* and the *Planning and Development Act 2005*, setting a troubling precedent for environmental protection in Western Australia.

A significant oversight of the environmental review is its inadequate consideration of the GBSW hydroplain, as highlighted by recent UWA research. This critical omission raises serious doubts about the validity of the entire assessment. Coupled with the EPA's Advice on the international significance and vulnerability of the GBSW a comprehensive, independent review of the proposed amendment's impacts is urgently needed.

The submitter strongly calls on the EPA and WAPC to act on their recommendations to safeguard the integrity of the environmental review process. Upholding good governance principles in Western Australia requires rejecting this rezoning proposal. The unique environmental values – including threatened species, ecologically significant communities and the internationally significant GBSW – are irreplaceable and warrant the highest level of protection.

The future of Western Australia's planning and environmental protection system hinges on immediate action to correct this improper delegation and thoroughly reassess the proposed Amendment. The environment and public welfare must always take precedence over private development interests in all planning decisions.

The stark contrast between the independent AECOM report and Hesperia's environmental review further erodes confidence in this assessment process. As Dr Alex George AM aptly stated:

"It should be stressed that it would not be possible to offset the area with bushland elsewhere since ... there is virtually nowhere equivalent in its landforms and biodiversity."

This statement underscores the irreplaceable nature of Wattle Grove South and reinforces the urgent need to maintain its current Rural zoning.

Additional Information - 1

As previously stated EcoVision emphasised the significant risk of bushfire as one of the reasons not to support the proposed Amendment. This concern has become a reality. On 1 March 2025, residents in the proposed Amendment area were issued an emergency evacuation order due to an active bushfire threat. There was aerial firefighting support from helicopters and water

planes. While no lives were lost, the submitter was informed that the fire had reignited, underscoring the ongoing danger.

As context to provide context, the following emergency message was sent by the Department of Fire and Emergency Services on March 1, 2025:

"This is an EMERGENCY message from Department of Fire and Emergency Services. There is a Bushfire Emergency Warning in place for people in an area bounded by Welshpool Road East, Roe Highway, Hale Road, Tonkin Highway, Brentwood Road and Bickley Road in parts of KENWICK, WATTLE GROVE and FORRESTFIELD in the CITY OF GOSNELLS and the CITY OF KALAMUNDA. You are in danger and need to act immediately to survive. There is a threat to lives and homes. If the way is clear, leave now for a safer place."

This event demonstrates the bushfire risk in the area, validating the submitters concerns in their original submission. The submitter urges the Department to carefully consider this new information as it impacts the safety and well-being of potential residents in the area.

Additional Information - 2

Ecovision has provided the following additional comments noting that they directly affect the integrity of the WAPC's decision-making and advice to the Minister for Planning:

Conflict of interest in Environmental Review: The Environmental Review (ER) for Amendment 1388/57 was advertised by the EPA as a WAPC document. In reality, the ER was authored by Hesperia, the proponent and beneficiary of the amendment, following the WAPC's delegation of its statutory responsibility. This creates an inherent conflict of interest and undermines the independence expected of assessment material relied upon by both the EPA and WAPC.

DWER Determination enabling pre-emptive clearing: While the ER remains under EPA consideration, the Department of Water and Environmental Regulation (DWER) issued a "Clearing Permit Not Required" Determination (Ref 10975/1, 2 April 2025), authorising the removal/translocation of 17 native trees at:

- Lot 3 (48 Victoria Road), and
- Lot 81 (54 Victoria Road), Wattle Grove.

The referral was lodged in the name of The Arbor Centre for "arboriculture" purposes. However, Landgate records confirm a caveat lodged by Hesperia Projects Pty Ltd on Lot 3 (48 Victoria Road) on 4 June 2021, evidencing Hesperia's property rights and effective control.

Concealment of interests and apprehended bias:

Hesperia's direct property interest was not disclosed in the referral, creating the appearance that it sought to mask its role by acting through a contractor. This conduct gives rise to reasonable apprehension that environmental constraints within the amendment footprint are being deliberately removed ahead of the statutory planning outcome.

Consequences for the WAPC: These circumstances directly implicate the WAPC's statutory responsibilities under the Planning and Development Act 2005, particularly the Commission's duty to act fairly, avoid bias, and provide lawful, impartial advice to the Minister. Any recommendation to approve Amendment 1388/57 made without acknowledging Hesperia's pre-emptive actions risks being tainted by procedural unfairness, conflict of interest, and frustration of the EPA's statutory assessment process under the Environmental Protection Act 1986.

Requested actions: request that the Department and the WAPC:

- Acknowledge Hesperia's direct property interests and concealment in the referral leading to DWER's Determination Ref 10975/1.
- Factor into deliberations that Hesperia has already sought to diminish the environmental baseline of the amendment area while the EPA review is live.
- Advise the WAPC that recommending approval of Amendment 1388/57 under these circumstances risks undermining public confidence, engaging apprehended bias, and exposing the WAPC to judicial review.
- Support a precautionary stance in line with the EPA's statutory objectives and principles (EP Act s 4A, s 15), ensuring the environmental baseline is preserved until all assessments are concluded.

Attachments for reference:

- DWER Determination Notice, Ref 10975/1 (2 April 2025).
- Landgate Certificate of Title 1279/390 – 48 Victoria Road (Lot 3), showing caveat lodged by Hesperia Projects Pty Ltd.

These matters strike at the heart of good governance. It would be untenable for the WAPC to recommend approval of an amendment where the proponent has acted covertly to degrade the values under formal review, while passing off its own Environmental Review as that of the WAPC. Ecovision requests that the above information is placed before the WAPC as part of their deliberations on MRS Amendment 1388/57.

Planning Comment:

Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Environmental Considerations, Ecological Linkages and Tree Retention

In accordance with the EPA's Environmental Review Instructions for MRS amendment 1388/57, a suite of detailed environmental investigations and studies were undertaken to inform the environmental impact assessment.

As a result of the detailed assessment of the potential impacts, the mitigation hierarchy of avoid, minimise, rehabilitate and offset has been considered. Resulting in mitigation measures being developed for future implementation to ensure the predicted environmental outcomes will meet the EPA's objectives.

The Minister for Environment has granted environmental approval. Any future structure plan, subdivision or development within the amendment area will need to demonstrate compliance with the environmental outcomes set out in Ministerial Statement No. 1267, and where required, will be supported by additional and/or updated technical surveys, assessments and documentation. This includes the requirement to prepare the following management plans prior to subdivision or development:

- Conservation Area Management Plan - for retained areas, which contain threatened ecological communities, threatened and priority flora, and high value fauna habitat, including black cockatoo habitat.
- Urban Water Management Plan - to ensure the environmental outcomes and conditions concerning the Greater Brixton Street Wetlands are achieved.
- A Tree Canopy Retention and Landscape Management Plan - to identify retained trees, with particular regard to potential nesting trees, and facilitate tree planting to create connectivity between retention areas and black cockatoo habitat.

Hydrology and Greater Brixton Street Wetlands (GBSW)

The proposed amendment site is separated from the GBSW by infrastructure corridors, including the Tonkin Highway, the DBNGP and Water Corporation pipeline easement, which separate the amendment area by over 100 m. The hydrological assessments completed for the Environmental Review conclude there will be no significant impacts to the GBSW area. Post-development stormwater volumes and flows is proposed to be managed relative to existing conditions, particularly in relation to the GBSW area.

The Environmental Review details the relevant hydrological (groundwater and surface water), hydrogeological, geological and wetland investigations/studies that define the hydrological and hydrogeological features.

Infrastructure and Servicing Capacity

Discussions have occurred with relevant government agencies and service providers such as Water Corporation and Western Power etc who confirm no engineering or servicing constraints to the development of the site. In accordance with standard practice, the timing and staging of development is reliant on service infrastructure via extensions to the existing network in adjacent areas.

Traffic, Transport and Road Network

A Traffic Impact Assessment (TIA) has been prepared in support of the amendment confirms the existing road network has the capacity to accommodate future development of the area for urban purposes subject to appropriate road and key intersections upgrades. MRWA has not raised any objections to the proposed amendment. The TIA will be reviewed and updated in accordance with WAPC and MRWA requirements as part of subsequent detailed planning stages i.e. Local Structure Planning and subdivision stages.

Land Use Conflict

Landuse conflict has been considered in detail in the advertised *Amendment Report* in accordance *State Planning Policy 4.1 – Industrial Interface*. It is noted that Tonkin Highway road reserve and adjoining DBNGP easement corridor located along the western edge of the amendment area provide a separation distance in excess of 120 metres between future industrial land uses within the Maddington Kenwick Strategic Employment Area and future residential development.

As Tonkin Highway abuts the amendment area future residential development will also need to have regard to *State Planning Policy 5.4 - Road and Rail Noise*. Consideration of abutting landuses are typically considered in detail at the local structure plan stage and this may result in appropriate subdivision or development conditions.

Determination: Submission dismissed.

Submission: 9

Submitter: Jacqui Jeavons (interested resident)

Summary of Submission: OBJECTION

The submitter advises that the proposed Urban zoning will allow for high- density residential development of the site with block sizes around 375 square metres or less. The submitter is strongly opposed of this development.

They live in this area and feel I am the custodian to the environment and wildlife that live in this area. They strongly disagree with this development. The council conducted their own environmental study in this area which identified numerous critically endangered flora and fauna in this area and with the Roe Hwy Industrial area development which destroyed a large amount of trees has put added pressure on this area as the red tail and white tail black cockatoos have moved their nesting areas more into this area. This is a critically endangered species and their food source is being destroyed at a alarming rate.

There has also been an independent UWA study that look at the significance of this area to the greater Brixton wetlands and black cockatoo nesting and feeding area. I urge that an environmental survey should not be completed by the developer.

To put an environmental study in the hands of the developer seems so ridiculous to be true. As a group we have had to fight for years to keep this area zoning and the majority of people have brought into this area because of the environmental lifestyle and to have a developer do their own environmental study doesn't show transparency and good governance.

This proposal should be immediately rejected due to this area's link to the greater Brixton wetlands, the critically endangered flora and fauna in this area, large old Marri trees which are only found in Western Australia, nesting and feeding grounds for the black cockatoos. The impact to the environment in this area if this rezoning is allowed would be devastating.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

The proponent advises that there is no intention of creating high-density residential development. The future master planned residential community will provide housing choices for low to medium density.

Determination: Submission dismissed.

Submission: 10

Submitter: Ken Abbotsford (interested resident)

Summary of Submission: OBJECTION

The submitter strongly opposes this development and allowing the developers to do their own environmental assessment of this area. The impact to the environment to allow the rezoning approximately 126 ha of the foothills Wattle Grove locality from its current Rural zoning under the MRS to an Urban zone in the MRS is a devastating decision.

I live in this area and have been fighting for over 10 years with the council and developers to not allow Urban zoning. The extensive consultation with people who live in this area showed over 90% of the community does not want Urban zoning.

The studies have shown this area has numerous critically endangered flora and fauna. We have old marri trees, Black cockatoos, quendas, native ducks and pink and grey cockatoos just to name a few beautiful species. Do not allow this zoning and do not allow the developers to do a study as you we not get an unbiased independent study. Stop this development and save the environment.

Planning Comment:

Comments noted. Refer to Part 6 of the **Report on Submissions**.

The submission provides no details or evidence of additional technical studies/investigation, datasets and reporting which underpinned the ERD's response to the EPA's 'Instructions for the Environmental Review' - MRS Amendment No. 1388/57 Wattle Grove South.

The AECOM report referred to in this submission was prepared for the City of Kalamunda. The primary purpose of AECOM's assessment was to inform the City of Kalamunda's Wattle Grove South Feasibility Study by identifying the conservation significant values relevant to study area and the environmental assets that would need to be managed appropriately as part of future planning and proposed change in land use.

The results of AECOM's assessment provided an ecological baseline for the MRS amendment and the additional ecological studies that were undertaken to inform the Environmental Review and meet the requirements of the EPA's Instructions for the Environmental Review of MRS amendment 1388/57 Wattle Grove South. The AECOM assessment was referenced in the ERD and associated wetland assessment report.

Determination:

Submission dismissed.

Submission:

12

Submitter:

Jinat Sultana (interested resident)

Summary of Submission:

SUPPORT

The submitter supports the amendment as we are in a housing crisis. This is a very convenient place to live, and communication is great from here.

Planning Comment: Support noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission noted.

Submission: 13

Submitter: Jewely Parvin (interested resident)

Summary of Submission: SUPPORT

The submitter supports the amendment and would like to see Wattle Grove grow in people and other amenities. As this suburb is so close to the city, many people will find it handy to have a town there.

Planning Comment: Support noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission noted.

Submission: 14

Submitter: Md Hasanul Masroor (interested resident)

Summary of Submission: SUPPORT

No comments provided.

Planning Comment: Support noted.

Determination: Submission noted.

Submission: 15

Submitter: Diana Corbyn (interested resident)

Summary of Submission: OBJECTION

The submitter advises that the proposed amendment should be rejected. The proposal will impact the Greater Brixton Street Wetlands, destroy Threatened Ecological Communities and destroy black cockatoo habitat, when many of these birds are currently starving. I have read the Environmental Review document, but the authorship is not clear. I feel the public of Perth deserve better than this.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

The submission provides no details or evidence of additional technical studies/investigation, datasets and reporting which underpinned the ERD's response to the EPA's 'Instructions for the Environmental Review' - MRS Amendment No. 1388/57 Wattle Grove South.

As detailed in Table ES-1-2, Sections 5, 6 and 7 of the Environmental Review, the mitigation hierarchy was applied as part of the environmental impact assessment of the MRS amendment, and the following ecological outcomes will be achieved:

- No Threatened Ecological Communities will be lost as a result of clearing of native vegetation.
- All conservation significant flora and vegetation will be avoided, retained, protected and managed.
- No significant hydrological changes as a result of change in land use from rural to Urban, will ensure there are no significant impacts to wetland and riparian vegetation and groundwater dependant ecosystems within and nearby to the MRS amendment area (including GBSW).
- All high value fauna habitats will be avoided, retained, protected and managed for the long-term.
- All high-quality foraging habitat for all three black cockatoos will be avoided, retained, protected and managed for the long term.
- No MRS amendment related disturbance of conservation significant terrestrial fauna or fauna habitat outside of the MRS amendment area.

Determination: Submission dismissed.

Submission: 16

Submitter: Name removed at the request of the submitter

Summary of Submission: OBJECTION

The submitter opposes the amendment as too much native flora and fauna is at risk.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission dismissed.

Submission: 17

Submitter: Maureen Taylor (interested resident)

Summary of Submission: OBJECTION

The submitter opposes 126 hectares of land in Rural Wattle Grove South to Residential zoning. In disbelief that a proposal of this magnitude would be considered for rezoning as the impact on the Environment would be a major setback for Climate Change with the destruction of the tree canopy that we have in Wattle Grove South.

Destruction of the trees - beautiful old Jarrah over a hundred years old would not only affect the Environment and Climate Change but destroy the Habitat of the endangered species of Red and White Tailed Cockatoos and the endangered Bandicoot.

The lack of Sewerage and Gas in the area would not meet the requirements of over 1,000 new dwellings. Currently Crystal Brook Road caters for 2,000 vehicles per day, this would increase to over 10,000 per day and with a single lane road being the main access to Welshpool Road East and would increase the traffic flow to 50,000 vehicles including heavy haulage trucks from the border of Tonkin Highway which would cause an absolute traffic bottleneck nightmare.

The rezoning of Wattle Grove South from Rural to Residential would be greatly impacted by noise and pollution from the increase of over 100 acres which is predicted for the near future.

Our life style would be greatly impacted by the proposed rezoning with the enormous loss of Trees, destroyed habitat for Bird life, Flora and Fauna and a mass of homes on any blocks of land would further impact Climate Change and does not lend itself to the beautiful green belt of the Foothills of Wattle Grove.

I oppose the Rezoning of our land from Rural to Residential and request that the WAPC do not support this proposal.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

As detailed within Table ES-1-3, and Sections 6.7 and 7.7 of the Environmental Review, future urban development will result in the preparation and implementation of a Tree Canopy Retention and Landscape Management Plan to achieve best practice sustainable outcomes, including:

- Retention and enhancement of habitat, particularly black cockatoo habitat.

- An urban tree canopy cover that reduces heat island effect and preserves and improves landscape amenity.
- Achieving a minimum canopy target of 20% as per the City of Kalamunda's Urban Forest Strategy target for Wattle Grove, which will be contingent on: water availability; bushfire management; local government support and incentives; land developer incentives; and resident engagement and education.
- Identify measures used to protect trees identified for retention during development and subdivision works
- Establish tree and landscape maintenance requirements and post planting.

Furthermore, all occurrences of intact remnant vegetation (that is also mapped as being high quality foraging habitat) is proposed to be retained and protected within the conservation areas via the Conservation Area Management Plan. Thereby, ensuring future protection and management of all high-quality fauna habitats and native vegetation (in Good or better condition) within the MRS amendment area.

Determination: Submission dismissed.

Submission: 18

Submitter: Julie Di Florio (interested resident)

Summary of Submission: OBJECTION

The submitter has lived in Wattle Grove South for 25 years and value the Rural lifestyle that this small pocket of land provides. They reject the amendment to rezone the land between Crystal Brook Road and Tonkin Highway, 126 hectares from 77 dwellings up to 1,000.

The plan to extend Tonkin Highway to 5 lanes in that spot will not be pleasant for future residents (Future MRWA proposal) At the moment there are bottle necks to access from Crystal Brook Road to Welshpool Road (being one of two roads leading up and down from the Kalamunda Hills and Forrestfield. The infrastructure of services around us is very basic.

There are populations of Bandicoots and Nests of Black Cockatoos which need to be looked after together with a Healthy Tree Canopy that would be totally destroyed. Just take a look at the Kenwick industrial park. The submitter urges to consider the local residents over a private developer who will destroy our land.

Planning Comment:

Comments noted. Refer to Part 6 of the **Report on Submissions**.

As detailed within Section 7.9 of the Environmental Review, the predicted environmental outcomes for terrestrial fauna and fauna habitat associated with urbanisation of the MRS amendment area are:

- Retention of all remnant native vegetation (in Good and better condition), including 4.16 ha of Banksia Woodland and 0.05 ha of Eucalyptus Woodland containing medium and high quality foraging habitat for Carnaby's black cockatoo and Baudin's black cockatoo, seven potential nesting trees for black cockatoos and habitat for quenda, within Conservation areas, which will be guided by the preparation and implementation of Conservation Area Management Strategy and Conservation Area Management Plan(s) at the local structure plan and subdivision and development stages, respectively.
- Retention of further individual scattered native trees, providing medium and low-quality foraging habitat for black cockatoos, in future public open spaces and road reserves, through the preparation and implementation of a Tree Canopy Retention and Landscape Management Strategy and Tree Canopy Retention and Landscape Management Plan(s) at the local structure plan and subdivision and development stages, respectively.
- Whilst there will be a time lag associated with the growing period for the replanted black cockatoo foraging trees, the increased numbers, prominence and more even distribution within the landscape will facilitate the proliferation of better-quality habitat across the entire MRS amendment area, as compared to the existing mosaic of fragmented and scattered habitat, with low value, that exists.
- Higher order protection for remnant native vegetation, retained and replanted trees, by virtue of their location within future public open spaces and road reserves under the care and management of the City of Kalamunda.
- Re-establishment of potential quenda habitat (i.e. garden beds with dense understorey) across areas of local public open space, road reserves and new residential lots.

Determination:

Submission dismissed.

Submission:

20

Submitter:

Lyn Larsen (interested resident)

Summary of Submission:

OBJECTION

The submitter opposes the amendment as the City of Kalamunda has a history of pushing for development in the foothills. A climate catastrophe is on our doorstep, and we should be planting more trees not knocking more down.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 21

Submitter: John Taylor (interested resident)

Summary of Submission: OBJECTION

The submitter as a 52-year resident opposes the amendment and advises as follows:

Transparency and Process Concerns

- The amendment documentation lacks transparency regarding the identity of the proponent(s) seeking rezoning.
- This information is crucial for public understanding of the motivations behind the proposed changes.
- The community deserves full disclosure of all parties involved in such significant landuse Changes.

Environmental Impact and Biodiversity

- The area serves as critical habitat for various native species, including:
 - Protected black cockatoo species
 - Local bandicoot populations
 - Diverse native flora
- Recent bushfires in southern regions have increased the area's importance as alternative habitat.
- The existing tree canopy provides essential ecological services and wildlife corridors Previous environmental reports, particularly those prepared for the City of Kalamunda's industrial rezoning attempt, appeared to undervalue the area's ecological Significance.

Historical Context and Previous proposals

- The community successfully opposed previous attempts to rezone the area for Light Industrial use.
- Previous environmental and aircraft noise assessments were proven to be inaccurate.

- There are concerns about the independence of environmental assessments when funded by development proponents.

Urban Planning Considerations

- The proposal contradicts sustainable Urban planning principles.
- There are numerous alternative development sites available that would require less environmental disruption.
- The area's current semi-Rural character provides important green space within the metropolitan region.

Future Legacy and Alternative Solutions

Drawing parallels with the historical foresight shown in establishing Kings Park, propose:

a) Preservation of existing environmental assets:

- Retention of mature tree canopy
- Protection of wildlife corridors
- Maintenance of local biodiversity

b) Alternative Development Approach:

- Implementation of a perpetual land lease system to address housing affordability
- Annual lease fees incorporated into local government rates
- Property owners retain building ownership and improvement rights
- Government management of infrastructure through lease revenue
- Elimination of developer profit margins from land costs

Recommendation

I strongly urge the WAPC to:

1. Reject the proposed rezoning.
2. Consider alternative locations for Urban development that don't compromise existing environmental assets.
3. Investigate the proposed perpetual lease system as an innovative solution to housing affordability.
4. Implement stronger protections for areas of environmental significance.
5. Ensure greater transparency in future planning proposals.

The proposed rezoning represents an irreversible decision that would permanently alter the character and ecological value of Wattle Grove South. While acknowledging the need for Urban development, we must consider more sustainable approaches that preserve our environmental heritage for future generations.

Planning Comment:

Comments noted. Refer to Part 6 of the *Report on Submissions*.

As detailed within Table ES-1-2, Sections 6 and 7 of the Environmental Review, the mitigation hierarchy was applied as part of the environmental impact assessment of the MRS amendment, and the following ecological outcomes will be achieved:

- No Threatened Ecological Communities will be lost as a result of clearing of native vegetation.
- All conservation significant flora and vegetation will be avoided, retained, protected and managed.
- All high value fauna habitats will be avoided, retained, protected and managed for the long-term.
- All high-quality foraging habitat for all three black cockatoos will be avoided, retained, protected and managed for the long term.
- No MRS amendment related disturbance of conservation significant terrestrial fauna or fauna habitat outside of the MRS amendment area.
- Future urban development (Table ES-1-3, and Sections 6.7 and 7.7 of the Environmental Review) will result in the preparation and implementation of a Tree Canopy Retention and Landscape Management Plan to achieve best practice sustainable outcomes, including:
 - Retention and enhancement of habitat, particularly black cockatoo habitat.
 - An urban tree canopy cover that reduces heat island effect and preserves and improves landscape amenity.
 - Achieving a minimum canopy target of 20% as per the City of Kalamunda's Urban Forest Strategy target for Wattle Grove, which will be contingent on: water availability; bushfire management; local government support and incentives; land developer incentives; and resident engagement and education.
 - Identify measures used to protect trees identified for retention during development and subdivision works
 - Establish tree and landscape maintenance requirements and post planting.

Determination:

Submission dismissed.

Submission: 22

Submitter: Sydney Chipchase (Interested resident)

Summary of Submission: SUPPORT

The submitter supports the amendment as urban development has been locally contemplated for some years.

Planning Comment: Support noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission noted.

Submission: 23

Submitter: Hilton Gardens Verges and Trees Committee

Summary of Submission: OBJECTION

The submitter objects to the amendment as Perth has one of the longest Urban footprints in the world at over 140kms. This development has come at the cost of the Banksia woodlands that covered the Swan Coastal Plain. Continuing development and subdivision is further depleting remnant bushland that cools our suburbs, feeds our birds and fauna and provides amenity to our citizens.

There must be a limit to how much we diminish what supports our ecosystems, nourishes our wildlife and provides some protection against global warming. Developers never adequately replace the mature plantings they sacrifice. Sense must prevail. If not now when?

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

As previously stated within the Environmental Review, all TECs and conservation significant flora, as well as high quality fauna habitats is proposed to be retained, conserved and managed for the long-term.

Determination: Submission dismissed.

Submission: 24

Submitter: Linda Delaney (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment as the starvation of endangered Carnaby and Red tail Black Cockatoos has been widely reported. The removal of these banksia woodlands will almost certainly finish off these birds.

Precedent in housing development approved by the WA planning authority provides no criteria for responsible clearing to protect wildlife. It's a ruthless decision to remove more of our ever-diminishing environmental resources. With only 15% of Cockatoo foraging grounds remaining, this development and the woodlands proposed for removal on the road to Chittering, as well as woodlands in Oakford for the new port, these beautiful wild birds have no chance of survival. It's staggering how quickly the impact of land clearing has had already.

Will government only be happy when extinction is complete and there's nothing left for our future generations to marvel at and enjoy in our beautiful, soul nourishing natural environment?

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

As previously stated within the Environmental Review, all TECs and conservation significant flora, as well as high quality fauna habitats is proposed to be retained, conserved and managed for the long-term.

More specifically, the predicted environmental outcomes for terrestrial fauna and fauna habitat associated with urbanisation of the MRS amendment area are stated in the Environmental Review.

Determination: Submission dismissed.

Submission: 25

Submitter: Leonie Stubbs (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment as the area in question is zoned "Rural" and should remain so. There are several reasons why this should occur. Any loss of native vegetation and in particular threatened ecological communities and rare flora is unacceptable due to the ongoing clearing that is occurring throughout the metropolitan area and the risk to fauna species which rely on native vegetation for their survival. This area forms part of an ecological corridor which is vital to be retained and if possible, should be enhanced rather than destroyed for housing. The Ridge Hill Shelf Complex' vegetation is localised and found nowhere else so should be protected from development. This

development forms part of that vegetation and due to its uniqueness cannot be “offset”.

The lack of infrastructure and complex transport requirements inhibits the opportunities for this to be a sound development. There is a lack of essential infrastructure such as reticulated sewerage and gas and the transport limitations will require extensive roadworks. Noise and pollution levels from adjacent roads are also of concern. To mitigate these negative aspects of the development will increase the housing costs for potential buyers. Any threat to the Greater Brixton Street Wetlands is unacceptable, and in particular that posed by groundwater flow. Insufficient weight has been placed on this aspect in the Environmental Report and the report itself (Water Balance Assessment) does not engender confidence when its opening paragraph suggests that it has been written to support the environmental review document in support of the amendment. In light of the above, the WAPC should reject this proposal.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

The scientific investigations and reporting directly responds to the EPA's 'Instructions for Environmental Review' - MRS Amendment No 1388/57 Wattle Grove South. The technical studies, datasets and reporting have been presented in the Environmental Review and is subject to an independent and objective review and assessment by the EPA and relevant government agencies including DWER and DBCA.

Determination: Submission dismissed.

Submission: 26

Submitter: Geoff Ingleton (Interested resident)

Summary of Submission: COMMENT

The submitter resides in Vulcan Road on five acres just outside the Wattle Grove development and would like to be included as they are keen to subdivide smaller than 2.5 acres.

Planning Comment: Comments noted. The inclusion of any additional land to the amendment is outside the scope of any changes to the advertised MRS amendment.

Determination: Submission dismissed.

Submission: 27

Submitter: Name removed at the request of the submitter

Summary of Submission: OBJECTION

The submitter is concerned that such a proposal would result in the removal of trees and understory. Even though much of the area is Rural and not 'pristine' bush, it is an important area of habitat for many birds and animals.

Perth's Urban sprawl needs to be contained, and housing needs to be built with greater variety and flexibility than is currently the case. Apartments need to be built close to amenities, transport and with surrounding green space for people and fauna.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission dismissed.

Submission: 28

Submitter: Rowe Group

Summary of Submission: COMMENT

The submitters support the amendment however note that an Environmentally Sensitive Area is identified on the corner of Brentwood Road and Crystal Brook Road with a buffer that extends into the north western corner of No.10 Crystal Brook Road.

The portion of the site that is impacted by the buffer is a driveway with no vegetation. Any future Structure Plan should recognise that this portion of the site does not offer any buffer values. It is requested that any Structure Planning includes pre-consultation with all landowners.

Planning Comment: Comment noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission noted.

Submission: 29

Submitter: Department of Water and Environmental Regulation (Swan Avon Region)

Summary of Submission: COMMENT

The DWER has assessed the District Water Management Strategy (DWMS) that supports the amendment and has found that it does not contain sufficient information as follows:

- Urban Expansion and Investigation areas - The advertised Amendment Report has the WAPC's position regarding the extend and scope of the DWMS, as follows "*The WAPC also requested that the DWMS consider the broader Wattle Grove Urban expansion area, particularly in relation to the downstream impacts on the Greater Brixton Street Wetlands and broader hydrological catchment.*" The Swan Region does not consider that this has been sufficiently addressed as very little information has been provided on these additional areas, and only a consideration of additional surface water and groundwater contributions to the Greater Brixton Street Wetlands (GBSW) is addressed. The DWMS should at least contain the minimum information requirements of a DWMS for these additional areas (such as geotechnical, current and previous land uses, waterway and wetland information, etc).
- The DWMS includes an assessment of the subject site's groundwater flow volumes, direction, and contribution to GBSW. However, DWER's hydrogeologists have not likely been provided with sufficient time to consider the assumptions made in the absence of long-term groundwater monitoring information, the provided complex geotechnical information, and information contrary to DWER groundwater data.
- The use of the term "pre-development hydrology" is generally being used incorrectly. "Predevelopment" refers to the natural or Rural land use prior to any significant development and should not include significantly different land uses (such as turf farms). Maintaining the current hydrology that includes the turf farm should not be the overriding principle, and all options should be considered and investigated.
- The DWMS should include a summary of comments/advice DWER officers have provided at previous meetings during consultation and how these have been considered and addressed.
- Insufficient information (or references to where to find this information in the ERD) has been provided on wetlands, waterways, drains, and environmental assets. In addition, none of this information has been provided for the Urban expansion and investigation areas.
- No information on drains, waterways and significant culvers has been provided for the Urban expansion and investigation areas.

- Groundwater levels and aquifers – The depth to groundwater and the various aquifers across the site have not been sufficiently detailed and the DWMS is somewhat vague and difficult to interpret. Additional clear information and figures should be provided to clarify the extent of perched water, surface expressions of water, the shallow aquifer and the deeper aquifers. Information from DWER mapping and our hydrogeologists should be consulted further.
- Turf farm – It appears clear that the existing turf farm has ceased operation, potentially up to 18 months ago. This has not been clearly articulated in the DWMS and should be investigated further. In addition, as the turf farm is no longer operating it should not be considered as part of the “pre-development” land uses. Further monitoring of groundwater levels and directions should be undertaken over a longer period. In addition, the amendment to “replicate” the additional groundwater recharge generated by the previous turf farm should be reconsidered.
- Drains – The site’s many drains have not been sufficiently detailed.
- The DWMS states that “*The existing groundwater mound along Tonkin Hwy is recognised to represent the baseline condition for considering historical hydrological conditions of the Amendment Area in proximity to GBSW.*” This should be reconsidered as the turf farm is no longer operating and further direction on the groundwater “pre-development” situation should be sought from DWER and DBCA.
- Subsoil drainage and fill requirements – The DWMS claims that subsoil drainage is not likely to be required and that imported fill for construction can be minimised. However, the presence of perched groundwater and clayey sand soils usually results in the need for subsoil drainage and extensive sand fill requirements. This matter should be considered further.
- Adaptive Stormwater Management – The proposed post-development adaptive stormwater management is poorly explained. A greater level of information is required to detail what the options are, where this would occur at the site, what infrastructure is required, how can it be implemented and by who (in addition to stormwater management measures including their staging, distribution, sizing, location, and POS landscape integration)?
- No consideration or assessment of potentially contaminating land uses and potential sites has been undertaken. This is particularly relevant for the former turf farm.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

The WAPC notes that since the DWER's comments were received, the EPA undertook its assessment and advised the Minister for Environment that MRS Amendment 1388/57 may be implemented subject recommended environmental conditions. The EPA did not recommend conditions requiring any further work to be undertaken for the DWMS. On 3 March 2026, the Minister for Environment issued Statement No. 1267 granting environmental approval for MRS Amendment 1388/57, subject to a number of environmental conditions being incorporated into the MRS.

Any future structure plan, subdivision or development within the amendment area will need to demonstrate compliance with the environmental outcomes set out in Ministerial Statement 1267 and is likely to be supported by additional and/or updated technical surveys, assessments and documentation. This includes the requirement to prepare a Local Water Management Strategy prior to structure planning approval and Urban Water Management Plan/s prior to each subdivision or development approval.

Determination: Submission noted.

Submission: 31

Submitter: Name removed at the request of the submitter

Summary of Submission: SUPPORT

The submitters primary reason for our support is put simply "Water" or more specifically the rapidly falling water table from overuse by the few. Having lived here for seventy years the submitter has records that show since the early 1960s until now the water table has fallen some 25 metres.

People who are in no way living a Rural lifestyle mischievously speak of the environmental sensitivity of this area while pumping water all summer, often for hours in the day to utilise the cheaper power from solar panels so they can have vast areas of green lawn to fill their hectare. Many have more than one bore. To make matters worse we have a Turf Farm in the designated area that literally has been allowed to mine the water digging deep dams that are pumped full from bores then even larger pumps are used to flood the grass being grown.

Consequently, any native vegetation of which there was a great deal in the past, now due to the falling water table has long since disappeared. All the land in this area not only had a tree canopy

but also a rich and diverse under story which blanketed the sand and kept it cool throughout the summer with many species of plants actually flowering during the summer. Basically, in this area in question all native animals insects, plants etc have disappeared and the Bandicoots we see are the result of a very few people like my family leaving places for them to shelter. They don't live on lawns.

Another anomaly in the area is the feeding of birds mincemeat. I have often spoken to locals about this as it has resulted in the meat eating bird numbers flourishing. Obviously, this in turn increases drastically these birds killing smaller seed and insect eating birds: more problematic though is the killing and eating the chicks in the nests by the over representation of meat eating birds. Such increases in meat eating birds such as Kookaburras /magpies /butcher birds /hawks etc have help to facilitate destruction of most small birds in the area.

The City/Shire of Kalamunda have played no small part in the destruction of the natural environment in this area. We had left a four-metre strip of land across the front of our property which contained a natural bush landscape. Smokebush and orchids, kangaroo paws and so many other endemic plant species. Lizards and skinks as well as nectar eating birds could feel at home. Then without warning the Shire decided to use Glyphosate to spray all the verges and of course for good measure sprayed well under the fence into our property. A couple of years of this and nothing survived.

Contacting the City of Kalamunda made no difference. Finally, after numerous phone calls and letters and later email they don't spray along our fence lines. No one else in this area seems to have bothered as their verges are still all sprayed so I presume they like the Bare Earth look. Environmentally sensitive? I don't think so.

We still have a patch of bush at the back of our property that the City of Kalamunda of late hyperventilate over each year to the point now where I am threatened with prosecution unless it has an ever increasingly wide fire break of pure sand around it. We live on more than a hectare and in the past had a citrus orchard of 70 plus Navel and Lemon trees. We also ran sheep in our back paddock and later a number of cows.

We have very little lawn as water should be used for food production in this country. We are now reduced to an orchard of 30 trees and no sheep or cows. We have two wells and a bore that have dried up and now relying on a bore of 30 metres. The water table in summer drops to just 5 metres of water in the bore and there is no chance while locals dewater the area growing their grass and with the drying climate that this will ever improve

only get worse. Obviously, we will not be able to live here when the water runs out.

Whatever happens to this area I cannot be party to the lie that this area is environmentally sensitive as it has been attacked and destroyed by wave after wave of peoples abusing the water supply the Flora and the Fauna resulting in the total destruction of the natural environment and chemical usage to control but resulting in destroying all natural vegetation.

The only area of the designated area that can be described as neat and tidy is that along Crystal Brook Road (along which we live). The remainder of the proposed area is in my opinion held by people who show no interest in the environment, often storing junk or burying rubbish anywhere on their properties and using chemicals irresponsibly.

It is time for the area to move on and become of use to a new larger group of people who can live close to areas of work and have land that will certainly not be under water. Wattle Grove south is a prime piece of land highly suitable for housing. We write the above on behalf of our children and their spouses as well as our six grandchildren.

The people who are against such regeneration of the area I note are mostly living outside the precinct and are in fact encouraging as many people as possible from outside the area to object. This outside negativity towards our area has been in no small part responsible for the degeneration of properties as owners have had no clear direction for the future. Rezoning will give direction and lead to positive outcomes.

Planning Comment: Support noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission noted.

Submission: 32

Submitter: Andrea Balfe (Interested resident)

Summary of Submission: OBJECTION

The submitter is one of the 75 % of electors who strongly oppose the WAPC proposal to rezone 126 hectares of Wattle Grove South from Rural to Urban and request it must be rejected.

An ever-increasing number of Scientists and Diplomats across the world agree that addressing the threat of global warming due to climate change in the next 10 years is critical. It is upon us to prevent irreparable damage to our planet.

The immense loss of biodiversity to make way for some 1,000+ dwellings seems incomprehensible. The foothills are known as the 'Green Belt, the 'Lungs of Perth' for its tree canopy and this is crucial that this not be destroyed.

Crystal Brook, which traverses Wattle Grove South, is a tributary of Yule Brook and part of the existing landscape that is valued by the community. The underlying hydrology of the area does not stop at precinct or local government boundaries but is all part of the interdependent ecology of the foothills area.

Numerous ecological surveys have identified Wattle Grove South as being of immense conservation value. Without doubt, Urban intensification will adversely affect water resources, ecological linkages, flora, fauna and visual amenity in Wattle Grove South, a known biodiversity hotspot.

Perth has approximately 62 years' worth of land already zoned for some form of Urban development. Therefore, there is absolutely no systemic pressure to destroy this foothills area in the manner suggested now, or possibly ever.

This area also lacks essential critical infrastructure required, in particular sewerage, gas and road, and for these and the aforementioned reasons I again request that this proposal be rejected.

Planning Comment:

Comments noted. Refer to Part 6 of the ***Report on Submissions***.

This submission provides no details or evidence regarding other technical studies/investigation, datasets and reporting which underpinned the ERD's response to the EPA's 'Instructions for the Environmental Review' - MRS Amendment No. 1388/57 Wattle Grove South.

The ERD (Section 5.4.4 - Surface water) defines the regional surface water flows including the Crystal Brook tributary. The ERD in Section 5.5 defines the predicted surface water flows from the MRS Amendment area within the Crystal Brook tributary. The ERD in Section 5.6 defines the hydrological management framework including for surface water surface via bio-retention swales and basins (promoting detention, treatment and infiltration of surface water) consistent with 'best practice' stormwater management. Water discharged from the bio-retention basins/swales downgradient will be in alignment with the pre-development flows. Importantly, the ERD notes, no such 'best practice' stormwater management infrastructures exists within the MRS Amendment area.

The ecological assessments undertaken by AECOM (2020), JBS&G (2024), Phoenix Environmental (2024) and Plantecology

(2024), and which informed the Environmental Review, confirms the high ecological values associated within the remaining areas of intact remnant vegetation within the MRS amendment area.

As detailed in Table ES-1-2, Sections 5, 6 and 7 of the Environmental Review, the mitigation hierarchy was applied as part of the environmental impact assessment of the MRS amendment, and the following ecological outcomes will be achieved:

- No Threatened Ecological Communities will be lost as a result of clearing of native vegetation.
- All conservation significant flora and vegetation will be avoided, retained, protected and managed.
- No significant hydrological changes as a result of change in land use from rural to Urban, will ensure there are no significant impacts to wetland and riparian vegetation and groundwater dependant ecosystems within and nearby to the MRS amendment area (including GBSW).
- All high value fauna habitats will be avoided, retained, protected and managed for the long-term.
- All high-quality foraging habitat for all three black cockatoos will be avoided, retained, protected and managed for the long term.
- No MRS amendment related disturbance of conservation significant terrestrial fauna or fauna habitat outside of the MRS amendment area.

Further, the creation of conservation areas as a result of future urbanisation is considered to be a better alternative to the current status quo which has led to the MRS amendment area being highly modified with only discrete small patches of remnant vegetation being left and no formal level of protection and future management being provided. Given the high level of degradation and modification that has occurred to date, without intervention it is anticipated that eventually these remaining areas of remnant vegetation and black cockatoo habitat will be further degraded and cleared over time.

Determination: Submission dismissed.

Submission: 33

Submitter: Daniel Curulli (Interested resident)

Summary of Submission: OBJECTION

The submitter and their family reside in the beautiful Rural foothills of Crystal Brook Road, Wattle Grove would like to object

against any development that is in planning for this area now and in the future.

The location of this untouched area is special and should be kept as it is for future generations to know the importance of having Rural properties within proximity of a capital city that are home to so much wildlife and fauna. A location where people can drive through and get a sense of nature and fresh air and only be 10 minutes from the city.

If developers want to develop, tell them there is plenty of cheap land out past Kalgoorlie! If they need help finding it, then please pass on my details and I will help them. There is no need to disturb our piece of paradise because a developer wants to buy another Ferrari.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission dismissed.

Submission: 34

Submitter: Leslie Lyons (Interested resident)

Summary of Submission: OBJECTION

The submitter has been a resident in Wattle Grove South for some 37 years and have witnessed many development threats to their beautiful neighbourhood throughout the intervening years.

It now appears that a developer (Hesperia Property Pty Ltd) or other aspirant developers have been granted the role of judge, jury, and executioner in relation to Wattle Grove South via MRS amendment 1388/57.

Government authorities appear to have given developers carte blanche to proceed with Urbanisation abrogating their duty of care for the preservation of this pristine area of tree species, native vegetation, as well as bird and animal life.

The City of Kalamunda once prided itself on the slogan 'A Home in the Forest' which I still have on my vehicle number plates. No longer can this promotional message hold any veracity or the onetime popular reference in earlier days to a 'wildlife corridor' through the area.

A serious implication amongst others, will be the onset of a major increase in traffic, becoming impossibly congested as Crystal Brook Road meets up with heavy traffic descending from Kalamunda and other hills locations. Ostensibly road widening will need to take

place on Crystal Brook Road which will result in the removal of gum and paperbark trees which grace the road currently.

The water table in the area will quickly display evidence of serious depletion through to the wetlands of Orange Grove, Beckenham and beyond.

At an earlier Kalamunda City public meeting, along with others I raised the Wattle Grove South conundrum. The Kalamunda City President suggested that I go and have a look at the emerging suburb of Bushmead 6055.

I followed up on the President's advice and was shocked by the 'cheek by jowl' housing density that has resulted in that subdivision. Presumably, a similar intensive house deployment is also in store for Wattle Grove South.

Along with the proposed carve-up of Wattle Grove South we now have letter drops from 'associations' including the tiny house movement wanting to rent a little space on our property and ostensibly erect a minimalist house as their brochure proclaims. We are not in any shape or form open to a potential tent encampment or caravan park on our property.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 35

Submitter: John Taylor (Interested resident)

Summary of Submission: OBJECTION

The submitter is opposed to the destruction of the Green Belt of the Foothills being destroyed by the land clearing of trees and the habitat of Cockatoos, Bandicoots, Flora and Fauna. With climate change in such a devastating way we need to take action to preserve the environment at all costs - not destroy it.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 36

Submitter: Ian Rintoul (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment as they have lived happily with their wife in Gooseberry Hill for over fifty years where we grew a healthy family loving the hills environment. The ‘hills’ are the lungs of Perth.

In a time of climate change, residents and many other concerned people are troubled by the persistent plans of a land developer to transform Wattle Grove South from a pleasant, long designated Rural zoning with priceless natural fauna and flora to a high-density residential development with block sizes of 375 square metres or less. The result: small blocks, squeezed in cottages — heat sinks, with few trees or parks and scant community amenities.

Other acute considerations: increased fire risks; needs for community infrastructure, including parks; increased congestion; less social cohesion. Like many hills’ residents, I do not oppose sensible amendments such as carefully planned sub-urban in-fill or amended zonings that satisfy community and environmental concerns.

This proposed amendment should be rejected by upholding sensible environmental concerns and the objections tendered by many people and organisations. Subject to expert advice, an acceptable compromise may also be achieved by deciding on a less drastic re-zoning that protects fauna, flora *and* community by considering minimum block sizes (say minimum of 2000 square metres) with requirements for trees, treed parks, and community facilities.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 37

Submitter: Graham Ryan (Interested resident)

Summary of Submission: OBJECTION

The submitter opposes the proposed rezoning of this land from Rural to Urban. As a long-time resident with 40 years of local experience, I can attest to the critical importance of preserving this environmentally sensitive area. The key concerns are as follows:

Mischaracterisation of the Amendment

The proposal to rezone 126 hectares of land is disingenuously labelled as a "minor amendment." This is fundamentally misleading. Converting a substantial tract of Rural, ecologically significant land into Urban development is a major transformation that will have profound and irreversible consequences.

Environmental Impact

This area is not just land—it is a vital ecological ecosystem. The proposed development threatens:

- Native flora and fauna habitats
- The delicate subsurface hydroplain of the nearby Brixton Street Wetlands, described as "A Jewel in the Crown of a Global Biodiversity Hotspot"
- The existing sense of place for local landowners and wildlife

Precedent of Environmental Destruction

Recent local developments, such as the Roe Logistics Industrial Park near Brixton Street Wetlands, demonstrate developers' disregard for environmental preservation. Despite promises of maintaining wildlife habitats, the area has lost its significant cockatoo roosting sites—a stark reminder of developers' empty commitments.

Housing Availability Context

Contrary to the argument for urgent Urban expansion, current research indicates:

- Existing vacant Urban land could support development for approximately 62 years
- Developers seek broad-acre development primarily to reduce costs and maximize profits
- Urban zoning effectively legalizes wholesale environmental destruction through land clearing

Concerns About Future Developments

The current proposal raises critical questions about long-term intentions:

- Is this "proposal 1" a precursor to subsequent Urban rezoning stages?
- Will approval create a precedent for further high-density development in foothills Wattle Grove South?

Recommendations

1. Maintain the current Rural zoning
2. Require independent, comprehensive environmental assessments by qualified, unbiased agencies

3. Prioritize in-depth, on-site environmental studies over desktop surveys
4. Protect this crucial ecological area from opportunistic Urban development.

Conclusion

The proposed amendment represents a short-sighted approach that prioritizes developer profits over environmental preservation and community well-being. The potential long-term ecological damage far outweighs any perceived short-term economic benefits. The submitter urges the WAPC/EPA to reject this amendment and protect this invaluable environmental asset.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 38

Submitter: John and Kathleen Edmonds (Interested residents)

Summary of Submission: OBJECTION

The submitter objects to the amendment as local residents (Valcan Road) they are strongly affected by the amendment. The proposal would have a negative effect on their Rural lifestyle and amenity.

The Department of Planning, Lands and Heritage confirmed in 2019 that the (subject area of the amendment) Rural areas along Welshpool Road East form part of a protected landscape:

“... the Rural areas either side of Welshpool Rd East form part of the broader Foothills Rural area which has, since 1992, been protected from more intensive development as reflected by the ‘Landscape Protection’ classification for the Foothills Rural land in the Foothills Structure Plan ...”

The proposal is fundamentally flawed and must be rejected. The proposal should be rejected by the WAPC. The cumulative impact of statutory non-compliance issues, environmental concerns and compromised governance provides compelling grounds for this proposal to be rejected.

Tonkin Highway provides a buffer between the Rural zone and conflicting land uses and Tonkin Highway should remain the buffer point. The area is a high bushfire risk area, the proposed rezone area is completely surrounded by Tonkin Highway, national park and dense bush.

The WAPC improperly delegated its environmental assessment responsibilities to Hesperia Pty Ltd, a private developer with direct commercial interests in the outcome. It is a conflict of interest and absolutely unconscionable that a developer with an interest (going back years) in developing the land is the organisation that prepares the environmental report on their own proposal. The Hesperia Pty Ltd's environmental review should be revoked with delegation and commissioning of a truly independent experts to assess Urbanisation impacts. Having spoken with Aboriginal people it is my understanding that this area includes what is referred to as 'Birthing Trees', trees where aboriginal went to give birth. I see no references in the report to aboriginal heritage or sites.

This developer authored report is misleadingly presented on the EPA website, creating the false impression that it is an EPA produced report and that there has been independent oversight of its content. These procedural irregularities undermine the validity of the assessment process and require urgent corrective action.

Current planning frameworks reveal a significant Perth metropolitan surplus of land designated for Urban development, making the rezoning of Wattle Grove South unnecessary at this time.

The Department of Planning's Urban Monitor Records show Perth's zoned Urban land could take 62 years to fully utilise.

While the *North-East Sub-Regional Planning Framework* identifies Wattle Grove South as a potential future Urban expansion area, this designation is neither legally binding nor an automatic trigger for rezoning, the Framework explicitly calls for flexible planning that responds to local conditions and changing circumstances. The WAPC retains full discretion to reject rezoning when compelling reasons exist, as they do in this case. The proposal contradicts principles of community wellbeing, environmental conservation and good governance outlined in the State Planning Strategy 2050.

The *North-East Sub-Regional Planning Framework* has identified approximately 7,570 hectares of land already earmarked for projected population growth through 2050. This substantial reserve has been further supplemented by Minister Carey's recent announcement of 6,300 new housing lots in the metropolitan area.

The proposed rezoning of Wattle Grove South from Rural to high-density Urban development contradicts fundamental planning principles and fails to meet essential development criteria. This submission demonstrates why maintaining the current Rural zoning is sound planning practice. Sound planning practitioners

would see that the area is best suited to 'organic growth'. Organic Growth is a slow progression of properties individually subdividing into slightly smaller lots over time (eg: 10 acres into 4 lots or five acres into 3 lots) so maintaining the Rural environment and protecting flora and fauna.

There has been a lack of public awareness of the amendment indicating and highlighting a critical lack of consultation and democratic process. Amongst those who have become aware of the amendment there is substantial community opposition to the rezoning.

Over the past few years Hesperia has directly approached individual property owners with option to purchase offers made on their land. It continues to be ignored in Hesperia reports that that Keswick Convention Centre Kelvin Road Wattle Grove Rural zone (mentioned below) was an army camp until 60 years ago, this whole area was used as a firing range for the army camp, properties in the area, including my property have uxos (unexploded ordinances) listed on the property Title.

The subject area includes the boundary line between CoG and CoK. Valcan Road has properties abutting the proposed rezone area. Valcan Road is not only a no-through road but additionally after entering the no-through road it changes council area mid-way down the no-through road, rendering the City of Gosnells section inaccessible without travelling either 3km (via Crystal Brook Road and Kelvin Road) or 7 km (via the highway) through City of Kalamunda council area to access City of Gosnells council area. Wildlife does not recognise a boundary between council areas and anything the City of Kalamunda does in this area affects City of Gosnells residents.

Over the past 10 years or so Hesperia have carried out a number of separate surveys in the proposed area for both the City of Gosnells and the City of Kalamunda (including for CoG MKSEA) with proposals for residential, industrial and aged care land uses. The last survey and report for the City of Kalamunda had many, many errors in it that I listed and presented to CoK, these errors included mistakenly placing chicken farms and kennels on properties where they had not existed for 20 odd years and huge mistakes like the location of the rail line and proposed new rail station. It included huge tracts of text that were a direct copy from a report for the City of Gosnells.

I do not believe the Hesperia report is either accurate or fair in recognising the extent of native flora and fauna in the proposed rezone area. My road, Valcan Road is rich in abundant wildlife and protected species of flora. Valcan Road has footpath access into CoG Kelvin Parklands, properties in Valcan Road have kangaroos lazing in private property paddocks throughout the day,

yet the report makes scant recognition of these animals. Keswick Convention Centre Kelvin Road CoK backs onto magnificent crown land (Korung National Park, used extensively for trail rides and bush walks), the area has multitudes of kangaroos and at dawn and dusk dozens congregate on the oval of Keswick Convention Centre. Bandicoots, parrots, cockatoos and kookaburras are a daily feature on our properties.

Carnaby Cockatoos increase in number flying around and around this area every time large trees are felled, particularly distressing as the Roe Industrial Park on Welshpool Road East has regularly felled big trees; if you choose to read the original Hesperia report on that area the whole report biased towards the area being insignificant for wildlife and as trees were felled and factories are being developed literally hoards of bandicoots and other small mammals were trying to escape and being killed on Welshpool Road East.

The area lacks essential infrastructure, particularly reticulated sewerage and gas, infrastructure must be established before any development can proceed, this creates significant challenges to developers on new housing projects. These infrastructure expenses would impose a heavy financial burden on local and state authorities as it is highly unlikely the developer would incur the cost. Simple checks with Water Corporation reveal the infrastructure required is enormous as the system following the Yule Brook line down from Lesmurdie is already overloaded so major works would be required.

The Tonkin Highway, Welshpool Road East intersection is one of the top four busiest intersections in WA (Transport Minister Rita Saffioti noted in WA Today (14 October 2024): *“This stretch of Tonkin Highway is a notorious bottleneck, particularly the intersection with Welshpool Road which regularly rates as one of the worst for congestion.”*) the intersection has the fourth highest number of road traffic collisions in the state (RAC magazine), rezoning the adjacent land and increasing already congested traffic is poor planning.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission dismissed.

Submission: 39, 40, 41, 42

Submitter: Names removed at the request of the submitters

Summary of Submission: OBJECTION

The submitters object to the amendment as they and their family currently enjoy our semi-Rural lifestyle including the local fauna and wildlife that frequent our property and local area, some of which include but are not limited to the Red-Tailed Black Cockatoos, Quenda's and Western Grey Kangaroos.

Having corresponded with our local EcoVision team and reviewing their research and findings with regards to this proposed MRS amendment 1388/57 for Wattle Grove South, I have serious concerns with the amendment and its processes to date. The submitter has outlined some of their concerns below:

- The fact that the WAPC has allowed a private developer (Hesperia Pty Ltd), who hold a vested financial interest in the approval of this rezoning amendment, to submit its own environmental assessment without arranging for an independent and unbiased environmental assessment report is beyond reprehensible and calls into question the integrity of the entire process. When you start looking further into this proposal you will find contradictions to the principles of community wellbeing, environmental conservation and good governance as depicted in the State Planning Framework's - State Planning Strategy 2050. Current planning frameworks along with the Department of Planning's own Urban Monitor Records show a substantial surplus in land currently allocated for Urban development in Perth that could take up to 62 years to completely develop. The treatment of this proposal as a minor amendment when the proposed development scale of over 1,000 new dwellings, up from the 77 existing dwellings along with the substantial infrastructure requirements show that this amendment is anything but minor. The Urban Monitor 11 report stresses the serious environmental costs of Urbanisation including the creation of Urban heat islands, climate change impacts, accelerated loss of biodiversity and deterioration of air and water quality.
- The historical protection status of the Foothills Rural land as outlined in the Foothills Structure Plan, has been protected since 1992 from more intensive development which includes the Rural areas along the Welshpool Road East as confirmed by the Department of Planning, Lands and Heritage (DPLH) in 2019.
- A 2015 draft that initially preserved Wattle Grove South's Rural status, aligning with both the MRS and Foothills Structure Plan, was altered at the then Shire of Kalamunda's request without community consultation. This raises serious procedural concerns when a community directly impacted by these proposed and significant changes are silenced and left out of the consultation process.

- The omission of critical policies from the amendment report, including the State Planning Policy 3.7 – Bushfire and the Planning for Bushfire Guidelines is irresponsible and reckless when the proposed amendment will lead to a significant increase in population and vehicle traffic. This will severely impact emergency evacuation and response times in an area where the sole evacuation route (Crystal Brook Road) is tree lined and vulnerable to blockage from fire and or fallen trees.
 - The continual disregard for community input contravenes basic democratic principles in planning. When a community so strongly opposes as demonstrated through multiple formal rejections with: 97% of property owners opposed to industrial rezoning.
 - 75% rejecting Urban rezoning proposals.
 - 145 submissions opposing the advertised Crystal Brook Urban Concept Plan against 2 supporting submissions.
 - 797 residents formally petitioning against the Urban concept plan.

It is obvious that despite this resounding opposition by the community that the City of Kalamunda have failed their rate payers and the broader community by continually ignoring their opposition of this proposal and should the WAPC, who are bound by legal and ethical obligations to honour community perspectives, approve this proposed amendment they would be disregarding documented community opposition and setting a dangerous precedent for bypassing democratic planning processes.

In conclusion, the submitters object to the Amendment and Environmental Review as outlined above and support the submission by Bev and Charles Dornan, joint coordinators of EcoVision.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 43

Submitter: Kaye Barr (Interested resident)

Summary of Submission: OBJECTION

The submitter has read the submission by Bev and Charles Dornan and wish to add their full endorsement to each point that they make.

It is particularly disappointing that the Dornans have even had to make such a submission, as it looks as if the proposed works in South Wattle Grove have come to the fore recently, and via a large

development company. Such a company would not, and perhaps cannot, have regard for the longer-term wellbeing of the area, or Perth in general. What we need in the Governmental agencies is people with vision, and the mettle to defend our special, unique area. This includes the preservation and future wellbeing of the plants, animals, birds, and the enjoyment of the people, in the forest area, that is indeed currently a buffer for the City (and is on the east side of Tonkin Hwy, etc).

While it is true that more dwellings are urgently needed across the metropolitan area, these must be found by other means which are also being considered. Perth is already the most spread-out city in (as I understand it) the World, and a great many other cities have found other ways to deal with increasing population. We do not need to spoil our area, in order to make more dwellings. We have the option of areas, already covered with dwellings, which can be approached by higher rise, and in-fill, etc.

I will not adumbrate the list of points the Dornans made. I will just note that Sir John Forrest had the vision and position to create Kings Park, thereby establishing a precedent, and modelling what can be done, if longer-term thinking is employed. Why don't we take a step back to contemplate this, before again looking in some way favourably at the 1388/57 submission, with its factors that would need to be overlooked, and its potential detriment to the future style of our City.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission dismissed.

Submission: 44

Submitter: Peter and Reta White (Interested residents)

Summary of Submission: OBJECTION

The submitter objects to the amendment as this area is an environmentally sensitive, high-density should be out of the question.

They understand, the EPA required the WAPC to conduct an Environmental Review of the amendment. We have been made aware that that Environmental Review was delegated to the developer. Surely it is not the norm for a Government Department to allow a business/company, (in this case the developer) with a vested and or financial interest in a particular area, to conduct their own survey. Obviously, this survey would be skewed to primarily benefit the developer.

We certainly feel this decision was inappropriate, irresponsible and lacked transparency, contrary to the principles our Government and Government Departments tend to pride themselves on.

Protecting environmentally sensitive areas including Wattle Grove South, from unsustainable development should be front of mind for all Government Departments involved with planning. Over the years many eminent scientists and environmental groups have expressed the importance of this foothills area as part of the green belt of Perth. This area is home to an array of Australian flora and fauna. Bandicoots, Red Tailed Cockatoos, White Tailed Cockatoos, Parrots, Lorikeets, Galahs, Willy Wagtails, the list goes on, all make their homes or visit for food and water in and around the beautiful trees in this area.

An extract from the WAPC letter to landowners reads '*A draft Environmental Review has been undertaken to examine the likely impacts of the amendment and puts forward proposed environmental management measures.*' Of course, the developer is going to propose 'environmental management measures' Birds need real trees, not breeding boxes attached to immature trees in busy high-density areas. Where will the bandicoots/quendas live? We have seen the devastation caused by intense development in many areas over the years. Developers move in and wipe out all the natural environments. Before we know it there are houses upon houses and a sea of roofs. No trees, no shade, all adding to the heat of our city and the need for more power to keep houses cool. It is imperative that developers are held to account for their part in maintaining the natural environment and habitats.

As recently as Monday 25th November 2024, an article in the West Australian Newspaper written by James Limnios (managing director of Limnios Property Group) titled 'Suburbs strangled by sprawl' proved to be valuable and very insightful reading, stating what we and many, many other West Australians feel. A quote from that article reads "Beyond financial costs, Urban sprawl takes a devastating toll on the environment, damaging natural ecosystems. Sustainable housing policy must prioritise building in areas where infrastructure already exists."

Adding to that, thoughts that have long been a question of ours, is 'Why aren't the many empty buildings, warehouses etc renovated, to be utilised as town houses, units etc? The buildings are there, and infrastructure already exists in these areas.

For reasons listed above and many, many more urge the WAPC to reject the amendment of intense, high-density development as per MRS 1388/57 Wattle Grove South. It is crucially important, and the responsibility of all Government Departments involved in

planning, to strike a balance between the requirements of housing and the preservation of our natural environment. As stated previously above, it is also imperative that developers are held to account for their part in maintaining the natural environment and habitats.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission dismissed.

Submission: 45

Submitter: Peter and Margaret McKenna (Interested residents)

Summary of Submission: OBJECTION

The submitter objects to the amendment as a long-term resident of the City of Kalamunda they fail to understand the continued and relentless push to industrialise / Urbanise Wattle Grove South, when it is well documented that the greater majority of residents oppose it. They chose to live here because of the semi-Rural lifestyle it offered, a place where we could grow trees of a reasonable size with some hope of protecting the native wildlife.

They fail to understand how 'our' local government authority can disregard the overwhelming opinions of its ratepayers. It is now time for the WAPC and the EPA to 'stand up and be counted' in favour of the residents of Wattle Grove South who wish to protect the limited natural environment in the Kalamunda foothills. Please refer to the documents provided by the coordinators of Ecovision.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission dismissed.

Submission: 46

Submitter: Marie Ryan (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment given its ecological significance and unsuitability for Urban development.

Ecological Significance and Irreplaceable Biodiversity

Wattle Grove South represents a critical ecological landscape with extraordinary and irreplaceable environmental value. This

area is not merely another potential development site, but a crucial component of one of the world's most significant biodiversity hotspots. Specifically:

- **Unique Geological and Ecological Context:**

Located on the rare Ridge Hill Shelf Complex, this area contains vegetation and flora found nowhere else on Earth. This geological formation is not just locally significant but represents a unique ecological microcosm with global conservation importance.

The area is situated within Greater Perth, recognized as one of the four most biodiverse regions in the Southwest Biodiversity Hotspot. This distinction is not just academic—it represents a living, breathing ecosystem of international scientific and conservation significance.

- **Threatened Ecological Communities and Biodiversity**

The City of Kalamunda's AECOM Report definitively identifies multiple Threatened Ecological Communities (TECs) within this area, underscoring its critical conservation status.

The Greater Brixton Street Wetlands, of which Wattle Grove South is a vital component, comprise the greatest biodiversity on the entire Swan Coastal Plain. This is not hyperbole but a scientifically documented fact supported by researchers like Professor Hans Lambers, who described these wetlands as the "Jewel in the Crown" of a global biodiversity hotspot.

- **Hydrological Significance**

Wattle Grove South provides essential sub-surface hydration to the Greater Brixton Street Wetlands, extending across a complex hydrological plain. This is not just about preserving surface vegetation but maintaining an entire underground ecosystem.

Context is critical: Only 20% of Swan Coastal Plain wetlands remain since colonization in 1829. Each remaining wetland and its supporting landscape becomes exponentially more valuable for conservation.

Environmental and Safety Considerations

- **Bushfire Risk**

The area is classified as a high-risk bushfire zone. High-density housing would significantly exacerbate potential

catastrophic fire scenarios, putting future residents at extreme risk.

Recent evacuation experiences and the unapproved Stoneville development serve as stark warnings about the inherent dangers of Urbanizing such a vulnerable landscape.

- Buffer Zone and Landscape Integration

Wattle Grove South functions as a critical buffer zone between metropolitan areas and surrounding national parks. Urbanization would compromise this natural transition zone, fragmenting ecosystems and disrupting wildlife corridors.

Economic and Infrastructure Challenges

- Unsustainable Development Costs

The proposed development lacks basic infrastructure like reticulated gas and sewage connections.

Extensive new road construction would be required, placing significant financial burden on taxpayers while benefiting private developers.

- Lack of Community Support

Urban zoning has been consistently rejected by the majority of local residents.

Not all landowners within the amendment area support this proposal, indicating a lack of genuine local consensus.

Procedural Concerns

The amendment should be classified as a major amendment, not a minor amendment. The proposed changes fundamentally alter the landscape's character and ecological function. Infrastructure requirements and potential long-term environmental impact necessitate rigorous, comprehensive review.

Conclusion

As environmental scientist David Suzuki eloquently stated, "No environment, no economy." Wattle Grove South represents far more than a potential development site—it is a unique, irreplaceable ecological treasure that, once destroyed, can never be recreated.

The submitter urges the WAPC and the EPA to:

- Reject the proposed MRS Amendment
- Maintain the area's current Rural zoning
- Prioritize long-term ecological conservation over short-term developmental interests

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 47, 58, 62

Submitter: Murray Smith, Erin Smith, Rebekah Smith (Interested residents)

Summary of Submission: OBJECTION

The submitters object to the amendment and advise as follows:

- At a time when Urban sprawl is seriously depleting the fragile tree canopy around the city, this proposal sets a bad precedent for other Rural areas and contradicts Kalamunda Shires “climate emergency” status.
- This proposal is totally incompatible with the Rural land around it and industrial land on the other side of Tonkin Hwy. The land in question could benefit all of the community if it remains Rural but is zoned like West Swan Road.
- This development has serious damaging environmental implications for the unique Brixton Wetlands. Many studies and reports have been published making very clear the impact on this precious area.
- All along the Tonkin Highway a natural barrier exists to make a clear demarcation between the hills catchment area and suburbia. This should be preserved at all costs.
- Why must we allow one greedy developer to have access to important Rural land when the Department of Planning shows Perth has more than enough Urban zoned land to last many years?
- The road system around this area is already significantly impacted by large trucks and painful congestion without unnecessarily adding to the problem.
- The majority of local residence and the surrounding community are totally opposed to this development our voices need to be listened to.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***

Determination: Submission dismissed.

Submission: 48

Submitter: Gail Evans (Swan Animal Haven Association Inc.)

Summary of Submission: OBJECTION

The submitter is aware that the EPA required the WAPC to conduct an Environmental Review of the amendment as it foresaw likely environmental issues associated with the Amendment.

The WAPC has inappropriately delegated its environmental assessment responsibilities to the developer who proposed the Amendment and has a direct financial interest in the outcome of the Amendment. We believe that this delegation is legally unsound because of the inherent likely bias of the developer, ethically questionable and contrary to the principles of good governance.

Furthermore, the Environmental Review document misleads the public about who wrote the document falsely claiming to be “*the Report by the Responsible Authority (the WAPC) on their environmental review*”

As part of the EcoVision team we support submitted comprehensive documentation to both the WAPC and EPA, presenting robust arguments against the proposed rezoning of 126 hectares in Wattle Grove South from Rural to Urban land.

You should be aware foothills Wattle Grove South has faced increasing development pressures since May 2018. Opposing this Amendment could establish a crucial precedent for protecting this environmentally sensitive areas from unsustainable development.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 49

Submitter: Dr Catherine Colas Des Francs-Small (Interested resident)

Summary of Submission: OBJECTION

The submitter opposes the amendment and advises they (and husband) have lived in Wattle Grove since 2006 and appreciate the Rural atmosphere of this suburb and the native flora and fauna that we are lucky to have here.

The proposed Urban zoning would enable high-density residential development with block sizes as small as 375 square metres, potentially causing significant environmental and ecological disruption to this environmentally sensitive area.

The proximity of the highly sensitive area comprising the Brixton St Wetlands and the Alison Baird Reserve, both biodiversity areas that

host rare plants and endangered animal species, as demonstrated in Professor Lambers' book, "A jewel in the Crown of a Biodiversity Hotspot" makes the protection of the foothills a priority.

Rezoning Wattle Grove foothills not only means the end of the Rural lifestyle, but it is also a real threat to the local fauna (cockatoos, southern brown bandicoots, possums and other native animals) as well as wild orchids and other native plants as it will further reduce the areas where these endangered species can thrive.

Rezoning the foothills would also mean an enormous increase in traffic, again threatening the fauna and the tranquillity of this suburb. Cycling around the hills would not be a pleasure anymore with too many cars around.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 50

Submitter: Troy Taylor (Interested resident)

Summary of Submission: OBJECTION

The submitter is opposed to the rezoning of wattle grove south from semi-rural to residential due to the environmental disaster it would cause. Wattle Grove South is the home and breeding ground of many endangered species which include the Quenda (Southern Brown Bandicoot) and the Carnaby's black, Baudin's black and Red-Tailed Cockatoos which are heavily protected.

Destruction of their nesting trees and breeding sites would be catastrophic to their survival and a great loss to the beauty of the area. This area needs protection not demolition. I have grown up and lived in this area all my life and believe this area to be one of the most pristine areas of Perth and should be protected at cost. The urges that the rezoning be stopped and protect these animals while we still can.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 51

Submitter: Kerry Darroch (Interested resident)

Summary of Submission: OBJECTION

The submitter opposes the rezoning of Wattle Grove South from semi-rural to residential. Doing so will not only impact the resident's already living in the area but the many animals that are found around that area and call that area home. Some of these include endangered species such as the Quenda (Southern Brown Bandicoot) and the Red-tailed cockatoos. As well as the ducks and many other birds around that area.

The destruction of the decade old trees will destroy their homes and dry up food sources which will ultimately lead to their deaths. I've been privileged to spend time in this beautiful area and enjoy the amazing environment surrounded by beautiful scenery and animals. It would be a travesty to see such an amazing area turned into another residential area. This area needs protecting not destroying.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 52

Submitter: Dr Jane Genovese (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment as follows:

- They have spent the first 28 years of their life in Rural Wattle Grove and feel privileged to have spent my childhood in this ecologically rich and biodiverse area. Given how overdeveloped the Perth metro area has become in recent years, they realise how fortunate they were to grow up in such a beautiful, peaceful area. In 2024, it is rare for a child to experience such ecological beauty and space to play. How many children can say they regularly see southern brown bandicoots in their backyard? Or Carnaby cockatoos? Turtles? I saw these animals on a regular basis in the Wattle Grove foothills as a child and teenager. When I visit my parent's place in Rural Wattle Grove (Judith Road), I am still delighted to see these incredible creatures out in the wild. This rezoning proposal will take a unique Rural area (and an essential Rural buffer) and turn it into another dull and boring suburb.
- The developer Hesperia is proposing to take an area that currently contains 77 dwellings and transform it into 1,000 new dwellings. This will result in a significant and major

transformation of a biologically sensitive area (it is far from a minor amendment).

- According to the Intergovernmental Panel on Climate Change, we are in a climate emergency. Climate scientists are all in agreement: we cannot keep going business as usual. This rezoning would have a significant and irreversible impact on the natural environment in Wattle Grove.
- It's also important to note the increased risk of fire. Packing more people into an area already at high risk of bushfires is a recipe for disaster.
- Given there is a surplus of land designated for Urban development, there is no urgent need to rezone this area of land, which lacks essential services, such as reticulated sewerage.
- Many in the community have voiced their opposition to rezoning Rural Wattle Grove for well over a decade. The local council (City of Kalamunda) and state government are ignoring the wishes of residents who feel connected to the local area in favour of a developer set to make massive profits if this development goes ahead.
- The environmental assessment of this rezoning proposal should never have been commissioned by the developer Hesperia. Suppose a consultant is being paid by a developer to write a report (as has been the case here). What is the likelihood that they will produce a report that highlights significant problems with the proposed development? An assessment by an independent consultant (not paid by any party set to make huge profits) needs to be conducted before a decision is made on this rezoning proposal.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 53, 54

Submitter: Stephen Genovese, Sharon Genovese (Interested residents)

Summary of Submission: OBJECTION

The submitters have lived in the area for over 30 years and objects to the amendment as follows:

Governance Concerns

The process underlying this amendment is marred by significant governance failures:

- Conflict of Interest in Environmental Review

The WAPC's decision to delegate environmental review responsibilities to Hesperia Pty Ltd raises serious ethical and procedural concerns. As a developer set to gain financially from the amendment, Hesperia's direct interest compromises the integrity and objectivity of the environmental review process. Such an arrangement undermines public trust and devalues the credibility of the findings.

- Lack of Transparency

Not only was the environmental review improperly delegated, but this decision was concealed from public scrutiny. This lack of openness further erodes confidence in the process and violates principles of good governance.

- Legal Violations

The delegation of environmental responsibilities to Hesperia contravenes multiple provisions of the *Environmental Protection Act 1986 (WA)* and the *Planning and Development Act 2005 (WA)*. These breaches compromise the legal foundation of the amendment and highlight a failure to uphold statutory responsibilities.

Environmental and Conservation Risks

Wattle Grove South plays a critical role in the region's environmental health. The area's hydroplain supports the nationally significant Brixton Street Wetlands, which depend on this water flow for their ecological integrity.

- The Brixton Street Wetlands are listed on the Register of the National Estate and represent one of the Swan Coastal Plain's most vital conservation areas.
- Home to over 320 plant species—more than 21% of Perth's floral biodiversity—the wetlands host numerous rare and endangered species.

Dr. Greg Keighery OAM has emphasized the importance of this area, suggesting it merits RAMSAR wetland recognition. Rezoning Wattle Grove South poses a direct threat to this unique ecosystem, jeopardizing its biodiversity and conservation value.

Broader Implications

Beyond environmental concerns, the amendment raises significant planning and community issues:

- Non-Compliance with Planning Frameworks

The amendment conflicts with the *Metropolitan Region Scheme*, the *Foothills Structure Plan*, and the principles of the *State Planning Strategy 2050*. It disregards key State Planning Policies, including SPP 2.0, 2.5, 3.0, and 3.7.

- Community and Safety Risks

The proposal facilitates Urban development in a bushfire-prone area without transitional zoning between incompatible land uses. This not only endangers community safety but also fragments valuable Rural land and disrupts the area's character.

- Disregard for Community Rights

The amendment lacks community consent, undermines democratic planning processes, and risks involuntary displacement of residents. It prioritizes private profit over the public interest, setting a concerning precedent for future developments.

Conclusion

The proposed rezoning of Wattle Grove South threatens the area's environmental, community, and planning integrity. At a time when climate change underscores the need to preserve Rural spaces and biodiversity, this proposal sacrifices long-term sustainability for short-term gains.

The WAPC must reject this amendment and instead prioritize planning decisions that align with ecological preservation, community safety, and sustainable development. Approving this flawed proposal would not only contravene sound planning principles but also set a dangerous precedent for the future of Western Australia's Rural areas. The WAPC has a duty to uphold public trust and protect the interests of future generations by rejecting this amendment outright.

Recommendations

The submitter requests that the WAPC take the following immediate actions:

- Revoke Hesperia Pty Ltd's environmental review delegation and commission truly independent experts to assess Urbanisation impacts.

- Implement policy prohibiting delegation of environmental reviews to financially interested parties.
- Strengthen WAPC and EPA processes to ensure impartial environmental assessments.
- Review legislation to explicitly ban such delegations.
- Develop a coordinated GBSW protection plan involving all stakeholders, including Traditional Owners, and preserving the critical hydroplains that extends beneath the Amendment area.
- Reclassify as “major” the proposed Amendment due to significant impacts.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 55

Submitter: Margaret Lyons (Interested resident)

Summary of Submission: OBJECTION

The submitter is concerned regarding the proposed rezoning as high-density residential development would be devastating to such an environmentally sensitive area. They saw the effects on the clearing of the Logistic Road industrial area for cockatoos, bobtails and other smaller fauna and flora

The Environmental Review was mandated by the EPA, but the WAPC has inappropriately designated the environmental assessment to the developer, this is hardly ethical or unbiased. The City of Kalamunda promotes the Hills as a prime tourist venue, but the entrance would be to the Wattle Grove high density housing area plus the Logistics Road industrial area.

The submitter is saddened and concerned regarding the amendment, chop the tree, clear around it and it can never be replaced. Factor in water table, immense traffic problems and tree canopy loss.

Planning Comment: Comments noted. Refer to Part of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 56

Submitter: Charles Genovese (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment as it is deeply flawed and should not proceed. The EPA should have done its own independent, unbiased assessment of the proposed.

Having the developer do their own environmental review, shows a cynical disregard for the opinion of the local community that will be affected. This is the sort of behaviour one would expect from a 3rd world, authoritarian, corrupt government.

The submitter is disappointed, deeply disgusted, and have extreme contempt, for the government and the people who are responsible for allowing this important process to be treated so flippantly.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 57

Submitter: Department of Water and Environmental Regulation (EPA Services)

Summary of Submission: COMMENT

DWER have sought comments from its technical experts on the Environmental Review Document and appendices. Detailed comments on matters raised by DWER's technical experts and EPA Services are provided below. The WAPC is required to address these issues and provide a response to the EPA Services. The EPA, in seeking the WAPC's response, does not necessarily endorse the issues raised but asks the WAPC to respond to them as you see fit or to modify your amendment, or its environmental management, accordingly.

EPA Services advises that a number of Inland waters matters are yet to be resolved, with inconclusive resolution between the proponent and DWER technical experts. EPA Services is appointing an independent peer review of the hydrological work undertaken for the amendment, focused on the questions regarding the impact on the Greater Brixton Street Wetlands of the maintenance or not of the groundwater mound post development.

It is expected that this work will be completed in late January 2025. A copy of the peer review will be provided to the WAPC upon completion, and the WAPC will be provided with the opportunity to provide comment on the outcomes of the peer review.

Environmental Factor: Inland Waters

- a) The DWMS and ERD include indicative values for management triggers for surface water and groundwater values. It is requested that updated trigger values are provided that incorporate any further data collected since the preparation of the DWMS and ERD. A summary of any further hydrological data collected is also requested.
- b) An additional figure should be provided for groundwater contours using the observed data for minimum groundwater levels using the most recent three years of monitoring data (to compare with the provided AAMGL contours). The groundwater contours for this figure should be drawn using the real observed data. Another additional figure should be provided showing the AAMinGL contours.
- c) Further justification is required as to the use of AAMGL instead of the recorded monitoring data for water balance calculations, groundwater gradient calculations, and determining groundwater flow directions.
- d) The ERD suggests that *the predicted increase in [aquifer] recharge has the potential to increase groundwater depth, however this will not have a significant impact on any of the water balance components, as the Superficial aquifer lies several metres below the natural surface level of the MRS amendment area. The (northerly) localised flow direction of Superficial aquifer in this area does not grade towards the GBSW. Further, the GBSW is predominantly fed by direct rainfall. Therefore, the Urbanisation of the MRS amendment area will not adversely impact the existing hydrological regime in the GBSW.*

Based on existing information, this statement may not be accurate as it is understood that the groundwater flow for the northern portion of the site ultimately flows to the GBSW and localised northerly groundwater flow direction may become more pronounced post development. An alternative scenario in which the groundwater mound is less pronounced and groundwater potentially returns to a predominantly south west flow post development has not been provided for comparison. Provide further information on this matter.

- e) The DWMS and ERD do not adequately address the following:
 - Is the primary reason for the formation of the groundwater mound below turf farm the irrigation on turf farm, or are there other equally influential factors?
 - Will there be any significant adverse impact on GBSW if the existing groundwater mound is or is not maintained?

- Confirm whether the historical baseline hydrological condition of the GBSW before the commencement of turf farm irrigation is available, and if so discuss?
 - Is the proposed approach of locating stormwater management areas in the existing groundwater mound to maintain the annual predevelopment groundwater recharge and flow direction to the GBSW sustainable?
- f) Further information addressing the above is required. In addressing the above and the related comments below, you may wish to consult with EPA Services regarding the type of technical information that could be provided to support your response.

The ERD asserts that the existing groundwater mound is representative of the local hydrological conditions of the amendment area, and that the DWMS and ERD are consistent with EPA Inland Waters objective of maintaining the existing hydrological regime, which is consistent with typical water sensitive Urban design (WSUD) practice.

One of the key principles of WSUD in Urban development context is maintaining pre-development or existing hydrological regime. This principle should be considered alongside another crucial aspect of WSUD: mimicking natural hydrological processes to achieve optimal environmental, economic, and social outcomes.

The DWMS has indicated that one of causes of the groundwater mound formation is irrigation on the turf farm, an artificial hydrological condition that has since been discontinued.

Without having significant benefits to GBSW, maintaining the existing hydrological condition through artificial recharge of the groundwater mound may not be a reasonable or sustainable approach.

Further information should be provided to clarify:

- how the hydrology of the area would change if the groundwater mound was to cease,
- whether the cessation of the turf farm operations and associated irrigation has had a positive or negative effect on the GBSW and
- if possible, what the historical baseline hydrological condition of the GBSW likely was before the commencement of turf farm irrigation.

It is suggested that the investigation should also consider the alternative scenario of not maintaining the existing groundwater mound.

- g) It is noted in the DWMS that it is intended to:
- establish stormwater management system in key locations to maintain predevelopment groundwater recharge and groundwater flow direction in the area of the existing groundwater mound;
 - establish flexible outlet structures and use of engineering design to facilitate adaptive change; and
 - monitor outcomes and use findings to facilitate/inform adaptive management.

From a typical stormwater and drainage management perspective for Urban development, proponents can select appropriate locations for stormwater management systems, including water quality treatment features and flood storage areas, by considering several factors. These factors include the topography of the development catchment (e.g., low-lying areas and natural depressions), hydrological considerations (e.g., maintaining flow rates, storage volumes and flowpaths, designing stormwater areas for multipurpose uses, integration with WSUD structures, and Urban planning considerations.

Further information is requested as to whether the existing turf farm area satisfies these considerations.

In addition of concern is the long-term operation and maintenance requirements of these systems and the reliance on recharge water volume to protect the GBSW.

While infiltration or retention systems such as biofilters, swales, retention basins, or flood storage areas can recharge runoff to groundwater, their infiltration capacity decreases over time if not properly maintained. Consequently, they may not contribute to groundwater recharge as intended.

Therefore, the proposed engineering/infrastructure approach to maintain the groundwater mound without significant benefits to the GBSW may not be sustainable.

If the DWMS chooses to pursue this approach, further information should be provided on long term operation and maintenance requirements, including support and commitment from the City of Kalamunda.

- h) There is a lack of confidence in the groundwater gradients being the focus rather than depth to groundwater (m BGL) to assess local controls on groundwater recharge and flow to support groundwater dependent vegetation. Noting that vegetation in the GBSW has been classified as a “*high potential GDE*” (CAT Hydro Services for MRD 2023). Further information should be provided to establish confidence in the use of

groundwater gradients, or evidence of consultation with DBCA on this matter provided.

- i) It is understood that physico-chemistry data has been collected consistent with DWER OP 5.12 (2009). Evidence and discussion should be provided as to how the results have been utilised to allow for the quality control measures such as charge balance error to be calculated or the discrimination of confined and phreatic aquifers.
- j) DWMS App Q shows changes to the monthly distribution of recharge across the amendment area, with a significant change in the location of the turf farm area. Further discussion should be provided regarding the potential impact of this change in distribution on the receiving environment, in particular the GBSW. A scenario of no maintenance of the groundwater mound should also be provided for comparison.

Environmental Factor: Terrestrial Fauna

- a) The survey methodology and habitat scoring presented in the ERD requires further justification. In particular the limitations of the BCE scoring system have not been adequately addressed, and adequate justification for the use of the scoring system over the DCCEEW has not been provided. While weeds are a function of site health this is not true for black cockatoo foraging value as many key foraging sites are parkland cleared or sites with heavy weed burden.
- b) The metrics in the WA Environmental Offsets calculator (DWER 2021a) presented in the ERD have not been justified, for example the 80% confidence in the rehabilitation result. The use of onsite offsets has also not been sufficiently justified. The offsets and residual impact significance model presented in the ERD relies on future planning processes to reduce significance. It is noted that the table states *It is highly likely there will be retention of the individual scattered native trees in future POS and road reserves, along with revegetation of black cockatoo trees to replace those that cannot be practically retained. Thereby, reducing the residual impacts on black cockatoo further.* This does not provide certainty of retention or revegetation and defers these protection mechanisms to future stages of planning. The amendment itself should demonstrate how it will manage impacts. Further discussion and justification of offsets and residual impact significance should be provided.
- c) The ERD and Phoenix Environmental Sciences (2024) list differing numbers of breeding trees. Confirmation should be provided of correct numbers.

- d) There are inconsistent quality scores of black cockatoo foraging habitat between AECOM (2020) and the ERD. For example, AECOM (2020) characterised Lots 12 and 249 (south corner of the MRS Amendment area) as ‘very high quality’ for Carnaby’s cockatoo (Figure 12), however, the ERD has categorised this area as low value (score of 2) (Figure 7-3). Inconsistencies may be due to recent habitat degradation or the use of different scoring methodologies. Inconsistent quality assessment of black cockatoo foraging habitat within the MRS Amendment area should be clarified.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

The WAPC notes that since the DWER’s comments were received, the EPA undertook its assessment and advised the Minister for Environment that MRS Amendment 1388/57 may be implemented subject recommended environmental conditions. The EPA did not recommend conditions requiring any further work to be undertaken for the DWMS. On 3 March 2026, the Minister for Environment issued Statement No. 1267 granting environmental approval for MRS Amendment 1388/57, subject to a number of environmental conditions being incorporated into the MRS.

Any future structure plan, subdivision or development within the amendment area will need to demonstrate compliance with the environmental outcomes set out in Ministerial Statement 1267 and is likely to be supported by additional and/or updated technical surveys, assessments and documentation. This includes the requirement to prepare a Local Water Management Strategy prior to structure planning approval and Urban Water Management Plan/s prior to each subdivision or development approval.

Determination: Submission noted.

Submission: 61

Submitter: Nature Reserves Preservation Group of Kalamunda, Inc.

Summary of Submission: OBJECTION

The submitter objects to the amendment for the following reasons:

Loss of Environmental Protection

The amendment would remove environmental protection regulations for Rural land, likely leading to loss of any biodiversity in the area. Furthermore, the typical density of Urban

developments results in very little retention of trees and vegetation.

Hydrological Impact on Brixton St Wetlands, Kenwick Wetlands and Alison Baird Reserve

The surface and groundwater flows from WGS move in a south-westerly direction toward the Kenwick Wetlands and Brixton Street Wetlands, and hydrological changes threaten degradation of the nearby downslope Brixton Street Wetlands and Alison Baird Reserve.

The Brixton Street Wetlands, Kenwick Wetlands and Alison Baird reserve are already under threat from the cumulative effects of development and industrialisation all around from MKSEA developments without adequate buffers.

These critically-valuable areas, existing nowhere else on this planet, and labelled the “Jewel in the Crown of a Global Biodiversity Hotspot”, are incredibly unique and will be affected by further isolation (loss of connectivity), hydrology and by increased heat island impacts. This proposed Amendment will add to the increasing cumulative threats to their survival, and at some point, this ecosystem will degrade and or collapse.

Loss of potential wildlife corridor/s

Kalamunda has had a ‘Wildlife Corridor Strategy’ which was carefully developed to permit our wildlife to move via streams, waterways and natural-vegetation linkages. Unfortunately, over the years, many of these corridors have been lost or destroyed through successive developments and highway building occurring with little or no regard to the importance of connectivity.

Although this Rural area of Wattle Grove South is not well vegetated, it still can serve to allow wildlife to move around. If this area is developed, it will be impossible for wildlife to travel as fencing, roads and other barriers are installed. Many animals inevitably end up as ‘road kill’, which further threatens our rapidly declining native animals and ecosystems. Fragmentation and loss of corridors connecting natural areas is a prime cause of their eventual destruction, as well as the loss of animals which inhabit them.

Increase in Urban sprawl

Perth metropolitan plans have long called for more infill developments to reduce Urban sprawl. Wattle Grove South has no public transport such as rail in the vicinity and therefore traffic congestion will increase, putting further pressure on our roads and highways. It would be significantly more beneficial to

increase Urban infill in areas where commuter rail network and other infrastructure already exists.

A demographic survey by former Planning Minister McTiernan in 2000 (in consultation with the Public on “Dialogue with the City”) showed that 40% of the population preferred to live in medium to high density accommodation, and that the housing stock at the time which met this need was only 15%. This demonstrates that there is a significant win-win opportunity to meet that deficiency by offering multi-story housing/apartment living, in infill locations near public transport and amenities, while also improving ‘liveability’. Approving Urban zoning in this location will set a precedent for further Urban sprawl into surrounding Rural areas and defeat long-term strategies to reduce this problem.

Urban/Commercial Development and Heat Island effect

Typical new developments leave little or no room for trees and vegetation to mitigate the heat island effect from the concrete and asphalt. As the Rural area currently exists, it has remnant trees and other vegetation which reduces the heating in summer in this area and surrounding areas.

Numerous studies (including those referenced in the City of Kalamunda’s Urban Forest Strategy) show that areas with 5-10% tree canopy coverage can be 8-10 deg C hotter than those with 30% or more coverage, which translates into around double the air conditioning demand and energy costs. The impacts of global warming causing our climate pattern in WA to shift southwards is already resulting in higher average temperatures, which further emphasises the need to avoid and mitigate heat island effects.

Rezoning this area to Urban will further increase this problem, and its impacts on surrounding areas, both populated and for nearby Brixton Street Wetlands.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission dismissed.

Submission: 63

Submitter: Richard and Dianne Blanchard (Interested residents)

Summary of Submission: OBJECTION
The submitters object to the amendment and support Ecovision’s submission to stop the rezoning of 126 hectares of land in Wattle Grove South. We would like to add that most cities of the world have green belts, unfortunately Perth is not one of them. If the Urban sprawl is allowed to go unchecked the Darling Range will

be covered in houses, an unnecessary eyesore. The various government departments have the power to stop this travesty.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 64

Submitter: Mary Aung-Sein (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment as the majority of residents in this area are against it. It is a high-risk bushfire zone and an increase of approximately 1,000 dwellings will exacerbate the existing intense fire risk and evacuation of home owners.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

It is noted that a Bushfire Management Plan has been supported by the Department of Fire and Emergency Services for this site.

Determination: Submission dismissed.

Submission: 65

Submitter: Conservation Council of WA

Summary of Submission: OBJECTION

The submitter objects to the amendment and advises as follows:

The proposal will pose a risk to hydrological systems in the region

The proposal is in the Yule Brook catchment. The north-western corner of the proposal is in proximity to the Kenwick Wetlands corridor and the proposed Yule Brook Regional Park. The Beelihar Professors Group (TPG) has provided a blueprint for the creation of the Yule Brook Regional Park. This vision involves restoration and enhancement of the ecological connectivity of parts of Kenwick and Wattle Grove.

A Yule Brook Regional Park would integrate all high conservation value areas in the GBSW, MKSEA and Yule Brook in one polygon and could eventually feature a 'Falls to Floodplain' ecological trail along Yule Brook from the Lesmurdie Falls National Park to the Canning River Regional Park via the GBSW. This plan is consistent with EPA recommendation M69.3 in the 1983 System 6

Report for what was then known as ‘Kenwick Swamp’, and will also protect the more recently acquired Crown Reserves in and immediately adjacent to Bush Forever Area 387. A Regional Park with the added ecological trail would encompass approximately 8km of highly scenic, shared-use (pedestrians and cyclists) pathway and would showcase Perth’s international status as a biodiversity hotspot and water sensitive design centre. It would also conserve for future generations of indigenous and other Australian, and visiting world citizens, important records of Australia’s indigenous history and culture.

Through the implementation of the proposal, this vision for a Yule Brook Regional Park could be undermined and the hydrological connectivity between these elements of the Regional Park further compromised. It is of note that the proposal will likely increase hardstand and the built environment and, therefore, impact the hydrology of the region through reduced absorption of water to the catchment, while also increasing Urban runoff to wetland areas.

CCWA believes that the future vision for the Yule Brook Regional Park should be prioritised above any proposal for further vegetation clearing, road widening, (e.g., from Tonkin Hwy Interchange and MKSEA amendments 166 & 169), and rezoning that have the potential to produce impacts to important hydrological systems of this area.

The proposal will produce residual impacts to flora and vegetation

The EPA explicitly recognises the ecological significance of the GBSW area and its unique flora.

The GBSW area is of international, national, and regional environmental significance and is listed on the Directory of Important Wetlands of Australia and the Register of the National Estate (EPA, 2022, p5)...The EPBC-listed critically endangered ecological community ‘Clay Pans of the Swan Coastal Plain’, which encompasses multiple BC Act conservation significant ecological communities primarily occurring on the SCP, typifies the unique botanical diversity and intrinsic ecological and hydrological connectivity of the GBSW area and SCP wetlands. (EPA, 2022, p11)

The proposal downplays the botanical significance of the region and the risks to wetland dependent flora, which are reliant on the seasonal inundation and drying processes. Any impact to hydrological flows from the proposal, however minor, could result in important botanical associations of the region being adversely affected.

CCWA asserts that the proposal will produce significant risks to the flora of the region from:

- possible changes to the hydrology of the area caused by the installation of hardstand, additional road infrastructure and Urbanisation;
- increasing emissions or contamination runoff from more extensive road and building infrastructure;
- further ecological fragmentation, causing changes to the connectivity for wildlife, which both supports (e.g., pollinators, seed dispersers) and is supported by vegetation communities (e.g., for habitat); and
- weed invasion, for example, *Grevillea thelemanniana subsp. thelemanniana* and *Ptilotus pyramidatus* are two species of declared rare flora known only from the GBSW. DBCA identifies weed invasion as a serious threat to both species, especially if development buffer controls are inadequate.

Through increasing heat effects of Urbanisation the proposal will also place an additional stress on the ecology of the area, making it less able to deal with the effects of climate change.

The proposal will produce residual impacts to conservation significant fauna

(i) Black cockatoos

Of the fauna known from the region, black cockatoos are recognised as being at particular risk from further land clearing and habitat loss. CCWA does not believe that the avoidance and rehabilitation measures for the proposal are adequate to protect black cockatoos. The creation of conservation areas within the proposal is unlikely to mitigate against loss of habitat, fragmentation of habitat and the disturbance to habitat areas from increased Urbanisation.

Furthermore, with the conservation status of Baudin's Cockatoo under review by DBCA and likely to be upgraded from Endangered to Critically Endangered under the *Biodiversity Conservation Act 2016*), it is obvious that strategies to protect the species are failing, and that the loss of further habitat should not be supported.

(ii) Critically endangered bees

CCWA has previously highlighted the risks to invertebrates from proposals that will affect the hydrology of the region, or clear and build over areas that may form the habitat of Critically Endangered (EPBC Act) *Leioproctus douglasiellus*. The ecology of this species of Colletid bee is poorly understood, but its survival relies on the protection of ground nesting locations in the proposal region, which

are currently not delineated. Moreover, there is no documented information on the distance that the species will or must travel to support its feeding, its migration habits, or the specific substrate it requires for nesting. Increasing habitat fragmentation and potential loss of nesting habitat through landclearing or installation of infrastructure (buildings and roads) may cause the species to become unviable in the proposal area.

The data gaps relating to the ecology of *Leioproctus douglasiellus* are significant and should not be overlooked in the WAPC assessment. CCWA, asserts that protection of *Leioproctus douglasiellus* cannot be assured if nesting habitat is unknown and, therefore, not targeted for protection; and under other knowledge gaps relating to dispersal ability, ecological requirements, and the full understanding of the threats to the species. Given these conditions of scientific uncertainty, assessment should apply a precautionary approach.

(ii) Bats

No assessment has been undertaken for bats of conservation significance, protection of their habitat trees or protection of their flight paths.

(iv) Stygofauna

The EPA (2022 p11) considers that there is a knowledge gap in the potential for stygofauna to exist in Muchea limestone within the GBSW. Stygofauna presence is unconfirmed and remains unassessed for the proposal area.

In summary, CCWA believes there will be unacceptable risks to several conservation significant species (both invertebrate and vertebrate) from the proposal. The proposal will add to the cumulative loss of fauna habitat on the Swan Coastal Plain, especially for conservation significant species; and the proposal environmental assessments contain several data gaps.

Additionally, the EPA did not adequately consider the impacts to flora and fauna of the proposal area from future climate impacts, nor the additive stressors on the area from an increase in fire frequency and intensity, reduced rainfall and groundwater availability.

The offsets for the proposal are inadequate

The residual impacts from the proposal were not considered to be so significant as to require offsets. Nevertheless, a future

rehabilitation strategy and retention of vegetation “...in areas identified as Potential Future Conservation and Rehabilitation on the Conservation Concept Plan” (Environmental Review document px) will be applied.

CCWA argues that the environmental strategy proposed is inadequate and will not counterbalance significant residual environmental impacts to an area of high environmental value. Strategies that do not offer immediate, local, or otherwise valuable approaches to the protection of this ecologically important region, should not be approved.

The proposal is adjacent to a restricted use site listed under the Contaminated Sites Act 2003

The proposal area is at the boundary of a ‘remediated for restricted use’ site, now containing Kelvin Road Parkland. This site was formerly a landfill site and is not suitable for enclosed buildings or hardstand without further risk assessment and landfill gas mitigation. The integrity of landfill barriers is critical to maintaining the safety of the surrounding areas, especially given that “landfill gases have been detected at the perimeter of the site, indicating that the extraction system may not be operating optimally” (WA Contaminated Sites Database Basic Summary of Records. p4).

CCWA argues that Urban development of the proposal area should not be approved until landfill gas extraction systems are operating. A 500-metre buffer should be applied, in accordance with the EPA *Separation Distances between Industrial and Sensitive Land Uses* guidance, which would prohibit development south-east of Victoria Road.

Summary of impacts

- The proposal will likely indirectly impact the Kenwick Wetlands system.
- The proposal will create potential impacts to the hydrological systems supporting biodiversity values of the wetlands in the region.
- The proposal will produce potential changes to surface water flow, which could impact local surface waters.
- The proposal will result in the clearing of 0.16 ha of Banksia woodlands.
- The proposal will result in the clearing of 29.38 ha of trees and other vegetation, which comprises foraging habitat for black cockatoos, 146 potential nesting trees, and habitat for quenda.
- The proposal will result in the clearing of 91.32 ha of low-quality black cockatoo forage habitat.

- The proposal will result in disturbance to wildlife from increasing Urban noise and activities.

Outcomes sought

In view of the identified environmental risks, CCWA strongly submits that the proposal for Wattle Grove (South) Precinct be rejected. In the alternative, CCWA requests that the proposal be implemented only after effecting the following conditions:

- The proposal should not restrict the capacity for the future creation of the ecologically important Yule Brook Regional Park.
- Further research into the risks to hydrological systems of the proposal area and its connections with nearby areas of conservation significance should precede any development.
- Research should be undertaken prior to any earthworks for the proposal into the ecology of and locations for breeding for the Critically Endangered Colletid bee *Leioproctus douglasiellus*.
- Further evaluation is required to establish the presence of stygofauna in the area, and any risks to stygofauna from the proposal.
- Further evaluation is required to define the risks to conservation significant bats from the proposal.
- The vegetation rehabilitation strategy should be more carefully defined to ensure black cockatoos and other conservation significant species are not residually impacted.
- Climate impacts should be factored into all environmental decision-making for the proposal.
- The risk from the neighbouring former landfill requires further evaluation.
- A 500m setback should apply to any subdivisions in proximity to the former landfill site, in accordance with the EPA guidance.
- Memorials on titles should be issued to alert future residents to the proximity to and risks from the former landfill site.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 67

Submitter: John Della Bona (Interested residents)

Summary of Submission: OBJECTION

The submitter objects to the amendment as they live in the subject land and have built a new house at the cost of in the vicinity of \$700,000. They do not want Urban style development on or near their property and do not want their lifestyle threatened for the benefit of one developer. They have spoken to their neighbours and are of the same opinion.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 68

Submitter: Lucy Aungsein (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment as they enjoy a Rural zoning which has enabled the essential protection of the high environmental significance of the area over time. Urban zoning will remove this protection and total clearance of 126 hectares of land will be legal. We have witnessed the 'moonscape' clearing methods of Linc/Hesperia with the Roe Highway Logistics Park. The loss of 30% tree canopy, TEC's, sub surface hydroplain, designated buffer zone, ecological corridors for wildlife, 'sense of place' for local residents is too high a price to pay for high density development.

The developers, namely Hesperia, conducted their own environmental review which is extremely worrying and questionable for residents in light of what the environmental and economical cost would be for all. Wattle Grove South deserves an Independent environmental assessment.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 69,104

Submitter: Theresa Miller, James Miller (Interested residents)

Summary of Submission: OBJECTION

The submitters object to the amendment and advise as follows:

- Conflict of Interest: The decision to assign the environmental review to Hesperia Pty Ltd (“HPL”) represents a direct conflict of interest as HPL has a financial interest in the result of the

review. The land that HPL's client is seeking to develop will increase with a positive environmental review, which would strongly encourage further referrals from the client in addition to the payment to HPL any bonuses, commissions etc that might already attach to the existing 1388/57 contract.

- Environmental Review Misinformation: The failure of the EPA to transparently acknowledge on its website that the Environmental Review document was authored by HPL is a deliberate act of Misinformation. Indeed, the document wrongly claims to be authored by the Responsible Authority (the WAPC) on "*their* environmental review".

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 71

Submitter: Peggy Pine and Warren Dixon (Interested residents)

Summary of Submission: OBJECTION

The submitters object to the amendment as this area has sensitive ecological significances for the various reasons, the black cockatoos which are now under more threat than ever due to taking their food and nesting trees. The local quenda's, reptiles, native mice and other local birds all homeless from your lack of thought and preservation to this environment.

The Banksia groves that are freely growing in our area would disappear with the proposed development along with other flora specific to our area eg the Wattle Grove wavy smokebush which is also unique to this area, orchids and Hovea's.

The local underground water sources for wetlands which have been studied and the CSIRO confirmed are at environmental risk with any development in this area these are unique in the WA and in the World and unable to be protected due to your need appease developers for a quick buck and no long-term plan or environmental thought.

They oppose this proposal and what impact it would have on this unique environment. They believe there are better and wiser solutions, and this proposal is unacceptable. You fail in placing the environmental impact study on the developer responsible for carving the area into small Urban blocks shows how there has been no real consideration given to this sensitive environmental area. Profit over everything else is so in small minded.

Please ensure our message is considered with this proposal and we hope you will not consider this inappropriate development in this area.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission dismissed.

Submission: 72

Submitter: GP, MR & MG Luck (Interested residents)

Summary of Submission: OBJECTION

The submitters object to the amendment as residents in this area, they were horrified that the loss, and the destruction of vegetation and fauna habitat is Wonton and irresponsible and totally bad governance.

They are also dismayed with the WAPC and EPA with their lack of action in avoiding disruption to this eco sensitive area. We are led to believe that the developer is given the task to do the environmental impact statement. (Cat's away the mice will play) Sounds quite ironic one would think.

Roads already the area is at a standstill on the Welshpool, Hale and Kelvin roads in peak hours, exacerbated by the development of the logistic centre. The area was raped of the flora and fauna, only to be replaced with steel, concrete and bitumen.

Another heat hole! Imagine the increase of temperature alone, with hot rooves, bitumen and concrete, water runoff in such a sensitive area, that previous owners have tried to protect.

To destroy and irreversibly ruin the area smacks with blatant hypocrisy and deliberate disregard for our future, i.e., Environment, Fauna, Family / Children, Livelihood, Climate change etc. (to name the obvious).

In closing, we ask that the abovementioned is reconsidered prior to being swayed to develop this area by a profit first investment group, and to the detriment of our natural asset.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission dismissed.

Submission: 73

Submitter: Peter H Forrest (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment although not presented by WAPC as such, this proposal involves the likely destruction of an internationally recognised unique area of wetlands together with associated fauna and flora. Several hundred local citizens have studied and protected these unique wetlands including the adjacent Alison Baird Reserve over many years and the GBSW is formally designated and protected by the DPA as a Conservation Area.

This proposed amendment has failed to recognise the significance of sub-surface water flow from and through the Darling Range Escarpment in this specific locality, despite extensive documented scientific evidence offered via the WA EPA.

Furthermore the WAPC appear to have supported a commercial property developer, (with obvious self-serving pecuniary interests, to provide environmental advice - misrepresented in associated documentation as being from EPA.)- When EPA is already on record as having provided well-publicised independent scientific advice showing that subsurface water flows (that have acquired specific chemical content passing from and through the face of the Escarpment) have had and can in future, have a decisive effect on creating and maintaining these unique GBS Wetlands.

Allowing the proposed high-density Urbanising development on this Wattle Grove South land surface, as proposed via this MRS Amendment will most certainly be highly destructive to these wetlands.

Also, the earmarked Wattle Grove South land area does not have any immediately accessible sewerage or disposal system for polluted surface water in the proposed Urbanised areas; and digging up land areas along the western border transversely across sub-surface 'hydroplain' water flows as suggested, would involve even more destruction of vital subsurface water emanating from the Escarpment to these wetlands.

WAPC is very well aware as recorded in their documentation that there is a likely 50+ year surplus, not a shortage of land available for Urban development in WA, most of which poses little or no environmental risk.

Environmental habitats of fauna and flora are typically not limited by administrative boundaries drawn on maps and the habitats on Wattle Grove South are shared between City of Kalamunda and City of Gosnells but little evidence is offered on that sharing, although they both have input into the 'North East Regional Planning Framework '. That Framework supposedly calls for "flexible planning that responds to local conditions and changing circumstances" but this proposed rezoning does not reflect vital issues such as enormously increased local traffic volumes and sound pollution from adjacent airport runway extensions.

Concerning the relative responsibilities of WAPC and EPA. The WAPC is primarily responsible through its parliamentary legal framework, for determining both inputs and outcomes. But the EPA is limited to an advisory role and furthermore is administratively combined with another group, the DWER, that has different primary functions. This combination is very confusing to both community and commercial developers and is overdue for reappraisal.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 74

Submitter: Name removed at the request of the submitter

Summary of Submission: SUPPORT

The submitter owns 66 Victoria Road, Wattle Grove and supports the MRS rezoning to Urban and a concurrent local scheme rezoning.

Planning Comment: Support noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission noted.

Submission: 75

Submitter: Name removed at the request of the submitter

Summary of Submission: SUPPORT

The submitter supports the rezoning from Special Rural to Urban and they also reside within the subject land.

Planning Comment: Support noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission noted.

Submission: 76

Submitter: Bradley Wood, Cathrine Wood & John Baldock (Interested residents)

Summary of Submission: SUPPORT

The submitters are the owners of 120 Victoria Road, Wattle Grove and support the amendment as they are aging to a point of needing care facilities and the sale of their property will allow them to do this.

Planning Comment: Support noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission noted.

Submission: 77

Submitter: Name removed at the request of the submitter

Summary of Submission: COMMENT

The submitters bought the property in 2000 with the view in mind that when they retired the property would potentially be suitable for subdivision. We anticipated that as Perth continued to grow there would be a need for more housing close to the CBD.

Housing shortage and land on which to build those houses very real issue for the State Government. That said, the submitters love the trees and wildlife that abounds in the community. It is their understanding that the land will be developed with sensitivity towards preserving as much of the flora and fauna as is possible given the amendment of 15 dwellings per hectare.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission noted.

Submission: 78

Submitter: Simon and Roxanne Ozanne (Interested residents)

Summary of Submission: SUPPORT

The submitters are the owners of 126 Victoria Road, Wattle Grove which is located within the MRS rezoning area. They have owned the property since 2003, however Roxanne's family have lived at the property from 1987, until they purchased the property from

them in 2003. The property was purchased to use for equestrian purposes, however they have not had horses on the property since 2016. Over the years we have noticed there are fewer and fewer properties that have horses on our road.

MRS: They fully support the MRS rezoning and understand there is significant support for the rezoning from other land owners within the rezoning area, especially from Victoria Road landowners. The rezoning is consistent with our expectations as it is something we have wanted for the area for over 10 years. The area is close to major transport routes, infrastructure and new business's being developed in the Maddington/Kenwick area and the Roe Highway Logistics Industrial Area in Wattle Grove, which will provide employment opportunities for future residential owners in the area. It has been well documented that the Kalamunda Shire needs more affordable land for residential purposes.

EPA: The environmental documentation provided shows that significant environmental investigations and studies have been undertaken by many experts and professional organisations. We support these findings and the environmental processes undertaken. The area in question has already been significantly cleared and used for a wide range of Rural and lifestyle activities (originally equestrian in our case), so we feel that this area is well suited and much better for development than other areas of Perth which are mainly native vegetation. Urban development will also improve bushfire management within the proposed area. We understand that the areas of remnant native vegetation are proposed to be retained for the bird habitat which we support. We also understand that many of the mature trees within the area are proposed to be retained plus additional planting of new trees within the area will increase the tree canopy within the shire.

Planning Comment: Support noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission noted.

Submission: 79

Submitter: Name removed at the request of the submitter

Summary of Submission: OBJECTION

The submitter objects to the amendment and advises as follows:

Wattle Grove Key Environmental Factor:

Inland Waters EPA Objective: To maintain the hydrological regimes and quality of groundwater and surface water so that environmental values are protected. The proposed amendment fails to meet this objective and poses unacceptable risks to the hydrological integrity of the GBSW and surrounding ecosystems.

Potential impacts:

- Alteration of surface and groundwater flows critical to maintaining the GBSW
- Increased stormwater runoff and pollutant loads to sensitive wetland systems
- Disruption of groundwater-dependent ecosystems
- Loss of water retention and filtration functions provided by existing permeable Rural
- land uses Key concerns Inadequate consideration of the GBSW

Hydroplain:

The GBSWs fall within the purview of an “environmentally sensitive area” as per the provisions of Section 51B of the EPA Act.

Unacceptable impacts, Research conducted by University of Western Australia Lecturer, Daniel Martin, an expert in environmental planning and geospatial analysis, definitively establishes that the GBSW subsurface hydroplain extends beneath the entire MRS Amendment area and continues into surrounding regions of Wattle Grove South and the Darling Scarp. The proposed amendment presents unacceptable risks to vital environmental values and fails to align with the EPA’s objectives across multiple critical areas.

The developer and the WAPC have not provided any evidence that the negative impacts can be effectively avoided, mitigated or offset. Moreover, the delegation of environmental review responsibilities to Hesperia Pty Ltd is not only legally questionable but also ethically compromised, undermining public interest. This action contradicts the goals of both the *Environmental Protection Act 1986* and the *Planning and Development Act 2005*, setting a troubling precedent for environmental protection in Western Australia.

This misunderstanding of wetland boundaries reveals a critical flaw in the hydrological assessment. A wetland system is not limited to what can be seen on the surface — it comprises both its visible water features and the underlying hydroplain that makes their existence possible. Indeed, Schedule 1 in State Planning Policy 2.9 makes it clear that planning actions must be informed by identifying all water resources above and below ground in the subject area, with current or potential value to the community and the environment.

The hydroplains are not merely connected to these wetlands – it is their life support system, the essential subsurface foundation that sustains their ecological functions. Consequently, any meaningful protective buffer must be measured from the full extent of the hydroplains, not arbitrarily from visible surface features. Hesperia's approach to a buffer zone measured only from surface water ignores this fundamental scientific reality and fails to protect the wetland system's true boundaries.

Flawed hydrological modelling:

The environmental review contradicts itself on water impacts. While acknowledging the Amendment will change existing surface and groundwater cycles, it simultaneously claims these changes will not be significant – a logical impossibility. Hesperia's water balance calculations rest on dubious assumptions and critically fail to: model worst-case scenarios, assess cumulative impacts, explain how Urbanisation's profound changes to the landscape could maintain pre-development water flows. These fundamental gaps in Hesperia's analysis make clear that only independent hydrological modelling can properly assess the amendment's impacts.

Underestimated surface water impacts: Increased runoff threatens wetland survival. The environmental review predicts a massive increase in surface water flow towards the GBSW – an additional 24,524 kL annually. This includes 5,192 kL/year through the Boundary Road culvert and 19,332 kL/year towards the Maddington Kenwick Strategic Employment Area (MKSEA) open drainage system.

Even these concerning figures likely underestimate the true impact that could overwhelm these sensitive ecosystems, leading to degradation of water quality in sensitive areas. The review's claims about nutrient control are unproven. Hesperia's assertion that development will reduce nutrients (by 63% for nitrogen and 60% for phosphorus) relies entirely on optimistic assumptions about water-sensitive Urban design. These projected reductions depend on perfect implementation and ignore the reality that full development will likely increase stormwater volumes far above current levels, potentially flooding these delicate wetlands with harmful nutrients.

Groundwater mound disruption:

Unassessed risks from major hydrological changes. The environmental review fails to analyse how ending turf farm irrigation will alter the local groundwater mound – a change that could significantly impact both regional hydrology and the GBSW. This represents another critical gap in understanding the amendment's true environmental impacts.

Inadequate buffer zone methodology:

Flawed wetland boundary definitions threaten ecosystem protection. Hesperia's approach to measuring buffer zones from visible wetland edges ignores critical hydrological science. A wetland ecosystem encompasses not just surface water features but also, the mapped subsurface hydroplain and interconnected hydrological systems. Failing to measure buffer zones from the outer boundary of the mapped hydroplain creates artificial distinctions that could compromise the entire wetland protection framework. This scientifically unsound approach risks leaving crucial parts of the wetland system vulnerable to development impacts and undermines the fundamental purpose of buffer zone regulations.

Unaddressed cumulative impacts:

The assessment ignores critical combined effects of regional development. The environmental assessment takes a dangerously narrow view by examining this development in isolation. The EPA's own guidance document, Environmental values and pressures for the Greater Brixton Street Wetlands on the Swan Coastal Plain, Advice in accordance with section 16(j) of the *Environmental Protection Act 1986* ("the EPA Advice") explicitly requires consideration of cumulative impacts on this significant wetland system. By failing to analyse how this development would interact with other planned projects in the catchment area, the assessment presents an incomplete and potentially misleading picture of environmental impacts. This oversight could lead to death by a thousand cuts for these critically important wetlands.

Climate change vulnerability:

Urbanisation amplifies environmental risks in a changing climate. The proposal fails to adequately address how increased Urbanisation will compound climate change threats to this sensitive ecosystem. As the EPA Advice explicitly warns, climate change will significantly affect wetland hydrology through altered rainfall patterns and more frequent extreme weather events. The development would reduce the wetlands' natural resilience exactly when they need it most, potentially creating a perfect storm of environmental stressors that could irreversibly damage this unique ecosystem.

Inadequate monitoring and enforcement:

Weak oversight threatens long-term wetland protection. The proposed monitoring program falls critically short of EPA standards for environmental protection. It lacks specific, measurable triggers for intervention and fails to outline legally enforceable remediation measures. This vague approach to oversight directly contradicts the EPA's Advice, which emphasises the necessity for coordinated, long-term management of the wetland system. Without robust monitoring protocols and clear enforcement mechanisms, there can be no

genuine guarantee of environmental protection, rendering other safeguards potentially meaningless.

Environmental Factor: Flora and Vegetation EPA Objective:

To protect flora and vegetation so that biological diversity and ecological integrity are maintained.

The proposed MRS Amendment 1388/57 fails to meet this objective and, if approved, would severely impact threatened species and ecological communities. This assessment is strongly supported by an independent AECOM report commissioned by the City of Kalamunda, which identified significant conservation values in the area. The entire AECOM survey area, while larger than the specific Amendment zone, functions as an ecological corridor that facilitates the movement of plants and animals throughout the region, including within the Amendment area. This connectivity is vital for maintaining important biological connections. Expert evaluations of the AECOM report by Professor Stephen Hopper AC and Dr Alex George AM further underscore the area's ecological importance. Professor Hopper stated:

“The report reinforces that you live in an environmentally sensitive area indeed. It encompasses one Commonwealth threatened ecological community (TEC), three WA listed TECs, one threatened plant listed by WA and the Commonwealth as vulnerable (*Conospermum undulatum*), two Commonwealth and WA listed threatened Cockatoo species and their foraging and nesting habitat (730 breeding and potential breeding trees were recorded), plus Quenda (a WA Priority 4 – monitoring – species).” Dr George stated: “The area lies largely on the Ridge Hill Shelf complex that, even at the time of foundation of Western Australia in 1829, did not cover a large area and has been impacted severely by development. The complex occurs only along the foot of the Darling Scarp in the Perth Metropolitan Area. It contains vegetation and flora that occur nowhere else.”

The AECOM report identifies numerous flora species of conservation significance, including 14 communities and 51 flora species. Within the Amendment area itself, certain segments exhibit good to excellent environmental values that must be considered in decision-making. critical impacts on flora and vegetation It is essential for the EPA and the WAPC to recognise that degraded areas do not justify destroying remaining habitats through Urbanisation. The intact regions are crucial for various flora species of conservation concern, as highlighted in the AECOM report. The potential impacts of Urban development on these valuable ecosystems are substantial, necessitating strong advocacy for their protection against unsustainable development practices. Notably, one private property earmarked as future public open space by Hesperia Pty

Ltd contains the most significant environmental attributes in the planning area, according to the AECOM study. The anticipated recreational use will likely lead to an irreversible loss of biodiversity. If approved, the Amendment would eliminate existing protections for native plants and trees under Western Australia's *Environmental Protection Act 1986*.

Urban rezoning would remove restrictions on vegetation clearing, prompting many developers to clear all native vegetation early in their projects to maximise usable land and profits without regulatory consequences. This approach poses no penalties or adverse effects for developers who choose complete clearing, making it an attractive strategy to enhance development potential. Key concerns:

Exceptional biodiversity value:

The AECOM report identifies 14 communities, 51 flora species and 26 fauna species of conservation significance in the survey area, including one Commonwealth threatened ecological community (TEC) and three WA-listed TECs.

Unique Ridge Hill Shelf Complex:

Dr Alex George AM emphasises that the area contains irreplaceable vegetation and flora found only along the foot of the Darling Scarp in the Perth Metropolitan Area.

Threatened flora:

The presence of *Conospermum undulatum* (waxyleaved smokebush), classified as vulnerable by both WA and Commonwealth authorities, underscores the area's importance for conserving threatened species.

Inadequate Protection of TECs:

The proposal to clear even small areas of critically endangered Banksia Woodlands TEC is unacceptable. The claimed 96.45% retention rate ignores edge effects and long-term viability of isolated patches.

Questionable offset strategy:

Relying on future offsets to compensate for vegetation loss is unacceptable. Prioritising avoidance of such losses is essential, and any proposed offsets must be clearly defined and secured before any approval is considered.

Fragmentation of ecological linkages:

The proposal would further fragment an already diminished ecological network, isolating plant populations and reducing genetic diversity.

Inadequate weed and disease management:

Proposed management strategies lack specific, enforceable measures to prevent the spread of weeds and diseases like Phytophthora dieback.

Threat to unique biodiversity:

The EPA's Advice regarding the GBSW highlights its outstanding botanical diversity, with over 650 plant species recorded. The proposed rezoning threatens this globally significant biodiversity hotspot, attributed by the EPA to specialised plant adaptations to the complex soils, chemistry and hydrology of the site.

Threats to endangered fauna and habitat Key Environmental Factor: Terrestrial Fauna EPA Objective: To protect terrestrial fauna so that biological diversity and ecological integrity are maintained.

The AECOM report presents compelling evidence of the area's significant ecological value, particularly for threatened fauna. The survey identifies 26 fauna species of conservation significance, three of which were directly recorded during the assessment: Forest red-tailed black cockatoo Carnaby's cockatoo Southern brown bandicoot (quenda). Notably, the area plays a critical role in supporting black cockatoo populations, with the survey documenting

- 730 breeding and potential breeding trees
- 17 trees containing suitable breeding hollows
- 27 hollows suitable for black cockatoo breeding.

Given these findings, the proposed MRS Amendment 1388/57 would have unacceptable impacts on these species and their habitats. Key concerns

Critical black cockatoo habitat:

The AECOM survey recorded 730 breeding and potential breeding trees, including 17 trees with 27 suitable hollows. This significantly exceeds what was acknowledged in the environmental review and highlights the area's crucial importance for these threatened species.

Confirmed presence of threatened species:

The report documented three species of conservation significance:

- Forest red-tailed black cockatoo
- Carnaby's cockatoo
- Southern brown bandicoot.

Fragmentation of ecological corridors:

The proposed development would sever vital fauna movement pathways, isolating populations and diminishing genetic diversity.

Cumulative impacts ignored:

The assessment overlooks the broader context of ongoing habitat loss in the region and its cumulative effects on fauna populations.

Inadequate mitigation measures:

Proposed mitigation strategies, such as the District Water Management Strategy, lack clarity and certainty regarding their effectiveness. Relying on future approvals for Local Structure Plans raises questions about accountability and compliance. Without rigorous oversight, these measures may not adequately address potential environmental impacts. Vague proposals like “revegetation” and future “management plans” require clear, quantifiable commitments.

Impacts on other significant fauna:

The potential presence of other threatened species, such as the southern brown bandicoot (quenda) has not been sufficiently assessed or addressed.

Long-term viability of retained habitat:

Small, isolated patches of retained vegetation are unlikely to support viable fauna populations long term, especially for species sensitive to edge effects and disturbances.

Impact on wetland-dependent fauna:

The EPA’s Advice regarding the GBSW underscores the importance of the wetlands for waterbirds and frogs during autumn and winter. The proposed rezoning and associated hydrological changes threaten these seasonal habitats and the species that depend on them.

Deterioration of community values and amenity
Key Environmental Factor: Social Surroundings
EPA Objective: To protect social surroundings from significant harm
While the EPA primarily focuses on environmental protection, the proposed MRS Amendment 1388/57 would have significant negative impacts on social surroundings that are closely tied to environmental values.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission dismissed.

Submission: 80

Submitter: Hesperia Property Pty Ltd

Summary of Submission: SUPPORT

The submitter supports the amendment and advises as follows:

MRS Amendment

- Hesperia Property Pty Ltd is strong advocate of the South Wattle Grove MRS proposal.
- Fully support the MRS rezoning of the area to Urban.
- The proposal is consistent with State Strategic Planning and seeks to implement the first.
- part of the 'Urban Expansion' area identified by the WAPC's *North-East Sub-Regional Planning Framework*
- The MRS rezoning of the Wattle Grove South area to Urban is logical. Development of the area will address the current undersupply and in part the forecast future demand for additional residential land in this locality.
- The Wattle Grove South is in a strategic location in close proximity to the existing Urban front, existing and planned infrastructure and services, the future Forrestfield Train Station and nearby major arterial routes (e.g. Tonkin Highway and Roe Highway), and employment hubs including the Maddington Kenwick Strategic Employment Area (MKSEA).
- It is understood that there is significant support for the rezoning from landowners within the rezoning area.
- Hesperia Property Pty Ltd note that rezoning the Wattle Grove South locality to Urban in the MRS doesn't automatically convey landuse, development and subdivision rights, and that local structure planning, subdivision and development are all subsequent processes which will consider and implement detailed planning and environmental outcomes.
- It is expected that environmental conditions will be incorporated into Schedule 1 with the MRS Amendment. As such, there are no impediments to the WAPC undertaking a concurrent rezoning to 'Residential Development' zone in the City of Kalamunda Local Planning Scheme.

Environmental Review 2335

- Hesperia Property Pty Ltd supports the environmental review documents and in particular, the conclusions and associated recommendations/proposed conditions.
- Significant and robust environmental investigations and studies have been undertaken for the area in line with the EPA's requests.
- The original Wattle Grove South natural environment has been historically cleared (and heavily modified) and the land is used for a range of Rural activities, including turf farm, equestrian pursuits and other Rural lifestyle and business activities.
- Some discrete localised areas of remnant vegetation and declared rare flora have been identified are proposed to be retained, managed and protected in conservation areas.

- The majority of the existing mature trees which serve as Carnaby Black Cockatoo habitat are proposed to be retained and integrated into the development footprint. This is possible as limited cut and fill is required across the site.
- The Urbanization of the area will also introduce substantial new tree planting to achieve significant tree canopy areas and local amenity as the site develops.
- Future structure planning will introduce landscape linkages, recreational nodes and circuits of pedestrian routes within the site to promote connections to the surrounding landscape.
- The proposal will integrate sustainable Urban drainage. It has been demonstrated that predevelopment surface and ground water hydrology can be maintained and as such, any potential adverse impacts on the Greater Brixton Street wetlands will be avoided. In fact, it will be possible to introduce contingency hydrological measures to supplement water to the wetlands should the naturally drying climate be found to have any adverse impact.
- It has been demonstrated that water quality will be improved with the change in land use, particularly the introduction of deep sewer (in lieu of septic tanks) and the removal of Rural and turf farm uses (including the application of fertilisers and nutrients).
- Hesperia Property is committed to the incorporation of best practice sustainability principles and to achieving 'EnviroDevelopment' certification.
- Hesperia Property will work closely with Traditional Owners to celebrate their connection to land within the Wattle Grove South locality.
- Hesperia Property is committed to protecting the visual amenity of the locality and views to the Darling Scarp.
- Hesperia Property Pty Ltd consider that appropriate environmental conditions incorporated into the MRS, as well as existing State Government and City of Kalamunda planning documents, will ensure that environmental matters, including management plans and conservation/protection, will be prepared, implemented and managed in subsequent planning processes.

Planning Comment: Support noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission noted.

Submission: 81

Submitter: Name removed at the request of the submitter

Summary of Submission: OBJECTION

The submitter objects to the amendment as more intense Urbanisation of a fragile environment. It seems everywhere you

look, both sides of all the main roads are lined with tiny little houses on what was once bush. Some of the land in question, particularly on the western side of Tonkin Highway, is a remnant wetland. Perhaps, just maybe, all the land in question should be restored to its former glory with habitat for black cockatoos and all the other endangered species of flora and fauna still present. Restoring this land would not only benefit the environment but also provide a valuable recreational space for the community. It would be a wonderful place for people to connect with nature and learn about the importance of conservation. No, that would be a fine legacy to leave for future generations.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission dismissed.

Submission: 82

Submitter: Garry Curnow (Interested resident)

Summary of Submission: SUPPORT

The submitter supports the amendment as it will enable improvements in services in the area. In all the years they have lived in this area it has not shown any improvements. It has stagnated due to the uncertainties of what the future holds for its future. Having had frequent contact with landowners in the area shows that there is substantial support for rezoning of the area. With the industrial development in the Kenwick and Maddington providing substantial employment opportunities.

Planning Comment: Support noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission noted.

Submission: 83

Submitter: Rosemarie Curnow (Interested resident)

Summary of Submission: SUPPORT

The submitter supports the amendment it has been degraded over the years from being substantially scrubland as area photos from the 1950s shows through having been cleared for orchards and farmlands over the years to now. There have been several investigations done on our properties showing that appear as very thorough as is obvious looking at the published reports.

They understand there will be extra vegetation and hopefully removal of the current non-native trees that are invading the area.

Also, the current bush fire prevention methods are causing erosion of the ground which can be stopped with the proper planning.

Planning Comment: Support noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission noted.

Submission: 84

Submitter: Name removed at the request of the submitter

Summary of Submission: OBJECTION

The submitter objects to the amendment as it would adversely impact the subject land and surrounding area, the following matters are raised:

- It will adversely change the semi-Rural character of the foothills area. The semi-Rural character of the area is a major part of its appeal. The introduction of Urban development would adversely impact the lifestyle of current residents, who have chosen to live in this area for its open space, green surroundings, and peace.
- It will likely have an adverse impact on the environment. The environmental report titled AECOM Wattle Grove South Ecological Surveys (February 2020) shows the area of Wattle Grove South to be an environmentally sensitive area that includes threatened flora species and conservation significant fauna species. It was concluded there was 69.3 ha of foraging habitat for Carnaby's Cockatoo; 59.53 ha foraging habitat for Forest Red-tailed Black Cockatoo and 69.39 ha of foraging habitat for Baudin's Cockatoo. 730 breeding or potential breeding trees were recorded. The area the subject of the proposed scheme amendment sits within Wattle Grove South, and rezoning of the area to Urban would likely have a significant adverse impact on the environmentally sensitive area by removing habitat and connectivity between areas of environmental value.
- Local roads, including those that service our residence, will be further strained, leading to safety risks and reduced quality of life for current residents.
- Crystal Brook Road is a gateway to the hills (as well as Welshpool Road East) and the entrance to the hills should be filled with trees, green and welcoming, not built up.

- It is appropriate that the area remain Rural as the projected increased noise from the airport (third runway) may mean that the area is not suitable for high density development.
- The suburb already has a residential area, north of Welshpool Road East. Wattle Grove South should be kept as a beautiful semi-Rural area which has environmental value for community.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 85

Submitter: Brett Smith – The B & J Smith Property Trust

Summary of Submission: SUPPORT

The submitter supports the amendment and the concurrent LPS amendment and is the owner of 14 Brentwood Road, Wattle Grove. The environmental review documents are comprehensive. They support the environmental review documentation and the recommendations for environmental management and conservation to be implemented during subdivision and development works. They support the proposed rezoning as it can provide potential needed development in an area with a great location.

Planning Comment: Support noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission noted.

Submission: 86

Submitter: Tony Riggio (Interested resident)

Summary of Submission: SUPPORT

The submitter supports the amendment and is the owner of 47 Victoria Road, Wattle Grove, and advises as follows:

- The rezoning of this area will stop the degradation of the land and provide a new community with the opportunity to grow and prosper.
- Support the MRS rezoning to Urban and a concurrent local scheme rezoning.
- Support the environmental review documentation and the recommendations for environmental management and

conservation to be implemented during subdivision and development works.

- Encourage the EPA and WAPC to finalise these planning and environmental processes quickly to ensure adequate controls are put in place asap.

Planning Comment: Support noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission noted.

Submission: 87

Submitter: Name removed at the request of the submitter

Summary of Submission: OBJECTION

The submitter objects to the amendment as it is offensive to shoehorn more housing into a tranquil and peaceful neighbourhood of acreage properties. The amenity of space and privacy that property owners have purchased should be respected. People have chosen to purchase in this area to get away from the suburbs.

There are not many places like this anymore and should be celebrated as an Australian dream still available to buy. Not only does the location not offer any reasonable infill close to a train station the draft Wattle Grove station will be at Roe Highway so not even remotely close to the proposed estate.

Wattle Grove suburb west of Tonkin Highway is a hotpot of criminal activity. Wattle Grove Rural Residents surrounding crystal brook road do not want this to be brought on to our side of the highway. Your report also mentions the Perth Airport restriction zone but makes absolutely no acknowledgement that the airport second runway will bring a huge increase in traffic around residents. The hale road and Welshpool Road - Tonkin Highway upgrade is already going to burden Lewis Road and Welshpool Road with a ridiculous amount of traffic. It's only going to make it worse again by jamming so many residents off Crystal Brook Road. Take your filthy hands off our Rural areas.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission dismissed.

Submission: 88

Submitter: Wendy Dugmore (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment as the environmental damage is unacceptable and includes impacts on the Greater Brixton Street Wetlands (inland waters), destruction of threatened ecological communities (flora and vegetation) and loss of critical black cockatoo habitat (Terrestrial Fauna).

We are in the midst of an ecological crisis that is also being amplified by the impacts of climate change. In order for the city of Perth (and the state of Western Australia) to be able to show resilience and capacity to adapt in the face of these tremendous threats, we must protect all our remaining native vegetation.

Too much past clearing has led to our city becoming barren and unbearably hot in summer. Any project that diminishes or damages these precious and irreplaceable biodiversity values must be outright rejected.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission dismissed.

Submission: 89

Submitter: Name removed at the request of the submitter

Summary of Submission: OBJECTION

The submitter objects to the amendment and advises as follows:

- The affected area for this “rezoning” is applied for 126 hectares of land in Wattle Grove south of which affects our land. We do not wish to be forced out of our Rural lifestyle due to developer profits.
- This is not the first attempt by developers/consultants/government departments to re-classify/rezone this area – previously it was attempted to rezone this area plus more – totalling 320 hectares of Wattle Grove South for industrial use – back in 2017/18 – which ultimately failed due to local opposition from landowners and residents.
- The classification of this as a “minor” amendment is somewhat inadequate and inappropriate. It is most definitely a major amendment that will have forever lasting impacts on the immediate area and surrounds – and any such consideration of change should follow a major amendment requirement for all assessments and impacts to be considered appropriately, not in summary form as is done in this application.

- The applicant/developer appears to have done its own environmental report – put forward in support of its applications - which could not possibly pass a commonsense test as to its independence or authenticity given the magnitude of what is at stake.
- There is a serious lack of local infrastructure – namely sewage services (as one example) – that would require massive investment. As I understand it – if this is approved and goes through – then the developer has the right to install these required services, then it becomes a (significant) cost burden to those in the area who oppose development and choose not to participate or sell their properties – in an endeavour by the developer and the system to force local people out by the impost of high costs to try and dislodge them from their properties.

The WAPC should make a recommendation to refuse this amendment and should not recommend to the minister for its approval. It should be dealt with appropriately as a major amendment - to ensure due process is followed and further regional environmental damage is done un-necessarily.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 90

Submitter: Name removed at the request of the submitter

Summary of Submission: SUPPORT

The submitter supports the amendment and are the current owners of 100 Victoria Road, Wattle Grove. They understand that this has been a long-standing request from the majority of landowners in the listed zone as well as the surrounding areas.

The submitter would also like to note that this area was put forward by the WAPC in a draft Sub regional planning framework in May 2015 for rezoning to Urban. Noting these points, we feel that this will be a pivotal change in the selected locality to assist with various housing problems in the Perth region and continue the vigilant and respectful redevelopment of the locality. Some benefits are listed below:

- New land leases close to Perth CBD and major transport routes.
- Reduce affordability issues for housing due to demand.
- Create further housing and support for people in the area considering how much industrial development/ infrastructure has been completed in the surrounding suburbs etc.

The submitter is aware and have reviewed all documentation relating to the proposed MRS change and relevant EPA documentation over the years and feel that both parties have completed very comprehensive due diligence and associated reports. Post review we feel that this MRS rezoning is nothing but a positive for the area based off both parties recommendations and that any further potential environmental impacts will be managed through the next stages of planning and subdivision.

Planning Comment: Support noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission noted.

Submission: 91

Submitter: Marco Di Camillo (Interested resident)

Summary of Submission: SUPPORT

The submitter supports the amendment and is the owner of 121 Victoria Road, Wattle Grove and advises as follows:

- The area is in close proximity to the Perth CBD and is accessible via already existing major roads.
- The development will provide more land in an excellent location for much needed residential housing.
- The development area is close to employment zones and convenient for future families to take advantage of these opportunities.
- The Perth metro area is growing, and this development caters for the demand for land/housing, which also assists home builders and the economy.
- There is significant support for the rezoning from my neighbours who live in the area.
- The land in the area has largely been cleared which makes it an excellent site for redevelopment, rather than clearing native bushland.
- Urban development of this area has been a consideration for many years now.
- Much of the land in the rezoning area is vacant and can be more effectively used, conceding the close proximity to the CBD.
- Significant environmental investigations have been conducted in the area which provides a lot of knowledge to future developers to manage environmental impacts and implement appropriate solutions to mitigate risks, if any.
- The submitters feels that it is important that the rezoning takes the environmental impacts into account and understand that areas of remnant vegetation and mature trees are proposed to be conserved.
- The rezoning will help with bushfire management in the area.

Planning Comment: Support noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission noted.

Submission: 92

Submitter: Greg Leach (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment and advises as follows:
Misclassification as a "Minor" Amendment

Classifying this proposal as a "minor" amendment is wholly inadequate and inappropriate. The scale of the changes proposed will have profound, lasting impacts on the local area and its surroundings. Such significant changes must be treated as a major amendment to ensure that all assessments and impacts are thoroughly considered. The current process fails to meet these standards.

Impact on Rural Lifestyle

The amendment affects 126 hectares of land in Wattle Grove South, including my property. The submitter opposes being forced out of our Rural lifestyle for the benefit of developer profits.

History of Local Opposition

This is not the first attempt to rezone this area. A similar effort in 2017/18 sought to rezone a total of 320 hectares for industrial use, which was ultimately unsuccessful due to widespread local opposition. The current attempt does not address the community's previously raised concerns and disregards the same underlying issues.

Environmental Concerns

The environmental report submitted by the applicant or developer lacks credibility and independence given the magnitude of what is at stake. This report should be subject to independent review to ensure its accuracy and objectivity.

Inadequate Local Infrastructure

The area lacks essential infrastructure, such as sewage services, which would require substantial investment. If this amendment is approved, developers would have the right to install such

services, imposing significant costs on local residents who oppose development and wish to retain their properties. This strategy could unfairly pressure residents to sell their land, undermining their rights and forcing them from their homes.

Given these concerns, the submitter urges the WAPC to recommend rejecting this amendment. Any proposed changes should be addressed as a major amendment, ensuring proper due process and comprehensive assessment of all environmental, social, and economic impacts.

The submitter requests that the WAPC prioritize the protection of our community, environment, and Rural way of life by refusing this amendment.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 93

Submitter: Joby K Joseph (Interested resident)

Summary of Submission: OBJECTION

The submitter did not provide any comment.

Planning Comment: Submission noted.

Determination: Submission dismissed.

Submission: 94

Submitter: Adrian Caldieraro (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment and advises that it is not a minor amendment and its impact will affect (and be not limited to) the following:

Noise

The RAC has stated that WA has an average of one car per person including kids. A proposed addition of up to 4200 dwellings will introduce a substantial number of vehicles to the area. The introduced noise pollution will affect our quality of life as well as local fauna.

Traffic

Currently Tonkin highway has more than 50,000 vehicles a day using the section between Kelvin Road and Roe Highway. This plan will potentially add another 10% to this traffic. This not only affects the immediate area but all 50,000 current road users.

Utilities

As stated in the amendment, current utilities in the area cannot support the estimated growth or they are completely lacking. The addition of sewage and water will not only affect the current landscape, environment and add extra rate costs but the amendment fails to mention the power requirements of another 4200 homes and how this will be achieved.

Local Fauna

Living in the area for 8 years I understand the importance of keeping this area in the Status quo as the current population is already having an impact on local wildlife. This area often sites Red-tailed Black cockatoos, Carnaby cockatoos, Bandicoots. In fact, every morning I am awoken by the sounds of said cockatoos. The impact of adding up to 4200 dwellings and a mention of zoning density of R30 will undoubtedly disrupt all the native wildlife and their breeding habits.

Ground water Usage

The “Strategy” states that an estimated yield of up to 4200 dwellings for the area. If the area is re-zoned to 2000m² lots, we can assume that each lot will:

- Water from a bore twice a week for 10 minutes at a time.
- Have an average station count of 3.
- Have an average bore pump with a 100lpm flow rate.

This will equate to an extra 25,200,000 litres of ground water being used every week. This figure alone has great concern for the native vegetation that may be left.

Acid Sulfate Soils (ASS)

According to the Department of Water and Environmental Regulation the area in question has a moderate to low risk of acid sulfate soils. The University of Adelaide have undertaken a study and determined the following from acid sulfate soils:

“Left undisturbed, these soils are harmless, but when excavated or drained, the reduced iron sulfide minerals can oxidise and the soil can acidify (pH<4) due to the formation of sulfuric acid. Once acidified, acid sulfate soils pose a significant environmental risk, due to the low pH of the soil and leaching and transport of the acidity into groundwater or surface water systems.”

The consequences following soil and water acidification are typically very severe and include:

- *Lethal and sub-lethal effects fish and other aquatic fauna.*
- *Release of dissolved metals and metalloids such as aluminium and arsenic impacting on water quality and water supplies.*
- *Plant death (loss of agricultural production, ecosystem damage).*
- *Infrastructure damage (roads, bridges, houses)".*

"Acid sulfate soils are the nastiest soils in the world. They generate sulphuric acid that brings their pH as low as 2 and leaks into drainage and floodwaters. In this acid environment, aluminium and other toxic elements kill vegetation and aquatic life or, in sub-lethal doses, render many species stunted and sickly. Generations of people depending on these soils have been impoverished and, probably, poisoned by their drinking water."

Dent and Pons 1995, A world perspective on acid sulphate soils. *Geoderma* 67: 263-276. The proposed development change could see in excess of 4000 new dwellings which would greatly increase the chances of ASS. What consideration has been taken to mitigate all risks of this happening?

City of Kalamunda Environment Strategy

The city of Kalamunda's Environment Strategy is in direct conflict to this proposal.

Several aims in question are:

- *Control invasive species in City reserves and managed landscapes.*

I am sure cats and other domesticated animals are on this list. An extra 4200 dwellings will certainly add to this challenge.

- *Promote the benefits of our reserves and green spaces for mental and physical wellbeing.*

Proposing rezoning 126 hectares to a potential R30 may impede on this one.

- *Investigate, develop and implement strategy and policy to protect trees and tree canopy.*

This will certainly not be achieved when developing for over 4000 house sites.

- *Protect waterways and manage flood risk in an environmentally sensitive manner*

This will not be achieved under the amendment.

- *To become a carbon neutral City to address the impacts of climate change.*

Removing Flora to allow for an additional 4200 house sites will create a large challenge for this.

- *Reduce the amount of waste generated in the City of Kalamunda.*

Adding 4200 general waste bins will certainly not achieve this.

- *Partner with our community to improve knowledge of our natural areas.*

The local EcoVision team has much local knowledge to depart.

- *Protect and enhance our regions unique landscapes and sense of place.*
 - *Investigate and develop strategy and policy to protect unique landscape features.*
 - *Investigate the further protection of native vegetation.*
 - *Promote the City for its nature-based activities, landscapes and physical Attractions.*

This will not happen under the current proposal.

The WAPC should make a recommendation to refuse this amendment and should not recommend to the minister for its approval. It should be dealt with appropriately - as a major amendment - to ensure due process is followed and further regional environmental damage is done unnecessarily.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission dismissed.

Submission: 95

Submitter: Richard Lovegrove (Interested resident)

Summary of Submission: COMMENT

The submitter is generally supportive of the amendment and the development of the surrounding properties. They have owned their properties for most of the past 51 years. They have their own ideas of what and how they wish to develop it, including the development of their own local structure plan (LSP).

Owning a substantial portion of the 123 hectares but even larger portion of the planned first stage, they believe they should have that right. Particularly as there is precedence to substantiate this. Their land is in a secluded cul de sac on the edge of the amendment and should not impinge on Hesperia's development. The interface between their proposal and Hesperia's would be seamless. Three years ago, Hesperia advised that their LSP included their land, whether that has changed they are not aware of. They have been told the LSP is not available.

Communications during that interim from the submitter have outlined that they will be acting independently. They have had a congenial relationship with Hesperia operatives and see no reason why this would not continue.

They endorse the projection of this development and seek confirmation that the WAPC will accept a submission or otherwise of an LSP from the submitter over their land. On receipt of a positive response the proposal should progress.

Planning Comment:

Comments noted. The WAPC notes that matters related to a LSP are outside the scope of the MRS amendment process and are considered in the more detailed planning stage.

Determination:

Submission dismissed.

Submission:

96

Submitter:

Stewart Gillan (Interested resident)

Summary of Submission:

OBJECTION

The submitter objects to the amendment as the breaking up of Wattle Grove and Wattle Grove south was previously before Council and agreed that it should not proceed on the basis of wide spread negative feedback from the community and the destruction of habitat or multiple native species of birds and other wildlife.

Council now wants to repeat the previously rejected splitting up of larger size Rural blocks to much smaller Urban blocks, which again will result in widespread destruction of native habitats. How can this development not constitute a substantial alteration to the MRS, there will be replaced approximately 16 dwellings

with 70 or more. This is nothing more than Rates grab and an effort by the Shire to increase revenue with the destruction of the Rural habitats which are the prime reason for many families moving to the area. Why anyone would see this as a good idea, beneficial to native fauna or residents is very questionable.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission dismissed.

Submission: 97

Submitter: Name removed at the request of the submitter

Summary of Submission: SUPPORT

The submitter supports the amendment

Planning Comment: Support noted.

Determination: Submission noted.

Submission: 98

Submitter: Wattle Grove Trust

Summary of Submission: SUPPORT

The submitter supports the amendment and is an option deed holder over 16 properties within the proposed MRS area. They have held these option deeds for an average of 3 years, with intent to exercise these options and become the landowner of all 16 within the next 3 years.

They fully support the MRS rezoning which will allow future housing to be constructed, assisting to alleviate the current crisis we face. It is consistent with the Urban development of the area in line with the adopted City of Kalamunda Crystal Brook Concept Plan. It is logical, with existing infrastructure and community uses. It's location near the new Maddington Kenwick employment area also allows for opportunities to live and work closely.

They also support the Environmental Review documentation and the amount of data which has been collected. It is clear from the documentation that significant investigations and studies have been undertaken by professionals. Due to the Rural zoning of the land, it has been largely cleared (and modified), yet there remains native trees and conservation areas which we agree should be retained. The technical reports clearly identify the groundwater

nuances within the area and can assist DWER with the future Greater Brixton Street Wetlands need to increase/decrease water. There is a positive outcome for the Urbanisation of this area for the natural asset.

They also support the concurrent amendment to the MRS and LPS due to the environmental rigor which the amendment has seen, along with community consultation. All granular aspects can be addressed to the community through the local structure planning process, which will provide greater clarity and detail which is expected.

Planning Comment: Support noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission noted.

Submission: 99

Submitter: Natallia Aung-Sein (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment as it is mostly situated on the unique Ridge Hill Shelf Complex and since colonisation, is known to be a small area, along the base of the Darling Scarp. It contains vegetation and flora that occurs nowhere else on Earth. Wattle Grove South is a "*highly environmentally sensitive area indeed*" Professor Stephen Hopper AC.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 100

Submitter: Theresa Aung-Sein (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment as it is a highly significant ecological area. It has, for example, 730 breeding trees and potential breeding trees for the black cockatoos (CoK ECOM Report) which are a Threatened Ecological Species as well as other TEC's. It contains vital corridors for native fauna and boasts having 30% tree canopy.

Planning Comment: Comments noted. Refer to Part 6 of the ***Report on Submissions***.

Determination: Submission dismissed.

Submission: 101

Submitter: Noelina Aung-Sein (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment as it is a designated "Rural" zone to act as a buffer to land which the DPLH classifies as "Landscape Protected" because of its important environmental values. Bordering two major parks, Korung (national) and Mundy (regional), WGS's Rural zoning provides a natural and orderly transition to the neighbouring bushlands/parklands.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission dismissed.

Submission: 102

Submitter: Monica Aung-Sein (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment as the "Rural zoning" protects the area for the highly significant flora and fauna it contains and for the sub-surface hydration it provides for the world-renowned Greater Brixton Street Wetlands (GBSW). The amendment area is situated over this sub surface hydroplain which 'groundwater feeds' the GBSW as well as surrounding regions of Wattle Grove South and the Darling Scarp.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission dismissed.

Submission: 103

Submitter: Pauline Aung-Sein (Interested resident)

Summary of Submission: OBJECTION

The submitter objects to the amendment as it is proposed as a minor amendment when it most definitely is a major amendment. The complete character of the area would be totally changed from spacious landholdings to extremely small, incongruous blocks in midst of a Rural area.

A minor amendment needs all infrastructure in place to be called a minor amendment. Wattle Grove South is without this

infrastructure, having no reticulated gas or sewage, nor necessary roads built to accommodate high density development and therefore the Amendment qualifies as a major amendment. Private developers should not profit at taxpayer's expense for their projects.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission dismissed.

Submission: 107 (Late)

Submitter: Perth Airport

Summary of Submission: COMMENT

National Airports Safeguarding Framework:

Perth Airport advises all local and State planners to refer to the National Airports Safeguarding Framework (NASF). The NASF is a national land use planning framework aimed at planners of all levels.

Perth Airport's advice has previously, and will always be in accordance with the Framework, which has been developed by the National Airports Safeguarding Advisory Group (NASAG). NASAG comprises Commonwealth and State Government planning and Transport Departments and Authorities including the Department of Planning, Lands and Heritage and the Department of Transport.

Airspace Assessment:

The site is located approximately 2,900m to the east of the extended centreline of Perth's new runway. This means there will be constraints associated with Perth Airport's prescribed airspace. Height constraints existing over the site protect aircraft operations, and communications, navigations and surveillance signals (e.g. radar). These constraints have legal protection under the Airports (Protection of Airspace) Regulations 1996 (C'th) (APARs).

Across this site, the lowest level of Perth Airport's height constraints is at 80m AHD (i.e. 80m above mean sea level). Developments proposed above this elevation must be referred to Perth Airport for assessment. A development above these heights is considered a 'controlled activity' under the APARs and will be subject to assessment by Airservices Australia (ASA) and the Civil Aviation Safety Authority (CASA). Subject to the outcome of the assessments undertaken by ASA and CASA, approval would be

required from the Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts. Should approval be granted, it may be subject to conditions requiring obstacle lighting or conspicuous painting schemes. Depending on the height, location and overall elevation, some developments may be prohibited entirely.

Perth Airport is willing to provide advice during the assessment of future development applications and can also provide this advice earlier to inform the design process. Early advice on airspace constraints can be sought by planners, architects and developers via the contact details provided at the end of this letter. Seeking advice at the early stages to inform design is best practise and strongly encouraged by Perth Airport.

Aircraft Noise Assessment:

Background: State Planning Policy 5.1 – Land Use Planning in the Vicinity of Perth Airport (SPP 5.1) is the key statutory document available in Western Australia for assessing and planning for land uses in aircraft noise affected areas. This document is predicated on the endorsed Australian Noise Exposure Forecast (ANEF) contours to determine what density of residential development can be approved, and under what conditions. SPP 5.1 does not apply retrospectively, in that, it does not affect a landowner's existing use of land, and its application is triggered only when development is proposed on land subject to ANEF contours.

Additionally, Guideline A of the NASF is titled 'Measures for Managing Impacts of Aircraft Noise' and specifically addresses the suitability of different development scenarios in aircraft noise affected areas. All levels of decision makers, including Local Governments, are encouraged to review and take guidance from the framework and consider it as part of their assessment.

Guideline A uses "noise above" contours as its reference, which relate to the specific number of events that a decibel level is exceeded. The N65 is a 'noise above' metric and is produced because the ANEF is not well suited to conveying aircraft noise exposure to the community, as over-flight frequency and the sound level of single events (typically two factors that determine how a person will react to noise) are not clearly translated by the ANEF system. Perth Airport produces the N65, which demonstrates the likely effect of aircraft noise exposure on an area or a development, at the ultimate airfield capacity. The N65 is publicly available on the Aircraft Noise Information Portal, viewable from Perth Airport's website.

The NASF is consistent with SPP 5.1, in that it aims to ensure residents and prospective residents are sufficiently informed regarding aircraft noise. Although both documents are

considered and referenced in this response, SPP 5.1 is ultimately the prevailing document used in Western Australia.

Assessment of the subject site: The proposal is located outside the endorsed 2020 Australian Noise Exposure Forecast (ANEF). However, noise does not stop at a line on a map and the site will still be subject to aircraft noise. It is important to highlight that with the operation of Perth's new runway from approximately 2028, aircraft will be flying closer to the subject site than what they do today, and it is important both the WAPC, council and residents are aware of this.

Using the NASF recognised N65 contour, the subject site will experience between 50 and 100 aircraft noise events above 65 decibels across an average day. Noise at this level is disruptive to a normal conversation even inside a dwelling and will be unacceptable to most people. It is worth noting that the area will receive a significant number of additional aircraft noise events at a level less than 65 decibels, and these noise events may also cause annoyance to some people.

An additional NASF recognised noise metric is the N60, which shows the number of events in excess of 60 decibels that can be expected over an average night (11pm-6am). The lower threshold was chosen to reflect the people's increased sensitivity to noise in this period. The subject site will experience between 20 and 50 aircraft noise events above 60 decibels across an average night. As identified above, the proposal is located within certain aircraft noise contours. An assessment of the suitability of the proposal against relevant statutory documents is undertaken in the following sections.

SPP 5.1: As the subject site is located outside of the ANEF Perth airport has provided a summary of the planning requirements within each ANEF contour. The position of Perth Airport on the overall acceptability of the subject proposal will be confirmed through the following NASF assessment.

National Airports Safeguarding Framework (NASF): A summary of Guideline A is provided in Table 2 below, and the applicable requirements for the subject proposal are highlighted:

The subject site will experience 50-100 N65 and 20-50 N60 aircraft noise events. This level meets the trigger within NASF Guideline A and therefore insulation is recommended for future noise sensitive developments.

Perth Airport Recommendation

The proposal has been assessed against SPP 5.1 and the NASF Guidelines. The proposal is Conditionally Acceptable under SPP 5.1 and the NASF Guideline A advises the proposal is acceptable subject to dwelling insulation. Given the above assessment,

Perth Airport neither supports nor objects to the proposal. Should the WAPC approve the proposal, Perth Airport recommends the following conditions and advice notes:

Condition 1: Future dwellings are to be constructed with insulation to meet Australian Standard AS2021:2015 Acoustics – Aircraft Noise Intrusion – Building Siting and Construction.

- Advice (i): The subject area is located within the 50-100 N65 and 20-50 N60 contours. For further information on aircraft noise the applicant/owner(s) may contact Perth Airport’s Planning team on 9478 8888 or
- Advice (ii): Perth Airport requests the WAPC inform airport officers of the outcome of the MRS process once finalised.

Planning Comment: Comments noted. Refer to Part 6 of the **Report on Submissions**.

Determination: Submission dismissed.

Submission: 108 (late)

Submitter: Urban Bushland Council

Summary of Submission: OBJECTION

The Urban Bushland Council (UBC) notes that an Environmental Impact Assessment is being done concurrently with the MRS Amendment. The UBC agree with identifying the necessary environmental conditions at the earliest stage in the process (where the EPA assessment is that environmental values can be maintained in the face of development).

The EPA providing the WAPC with a list of 58 tasks that need to be evaluated and then incorporated into the published Environmental Review. Given the complex hydrology of the seasonally waterlogged flats (palusplain) and seasonally inundated basins (sumplands) of the general area (this area plus GBSW), and the considerable documented biodiversity of the Greater Brixton Street Wetlands, the UBC support the focus on inland waters, flora and vegetation, terrestrial fauna, social surrounds and greenhouse gases.

The UBC have considered the content of the Environment Review and its attachments and note their assessment as follows and disagree that this development will not have significant impact on the environment.

In summary it is considered that with the application of appropriate mitigation and management measures at the various

identified stages of future planning and development approvals subsequent to the MRS amendment, the EPA's objectives for the key environmental factors will be met. (P374)

No change to hydrological regime that will result in groundwater dependent vegetation to be impacted within the MRS amendment area or the GBSW as determined by a groundwater monitoring program. (P374)

A potential loss of up to 29.54 ha of highly modified habitat types of compromising scattered trees (26.58 ha) and planted gardens (2.8 ha), as well as degraded to completely degraded Banksia Woodland (0.16 ha), which consist of predominantly of low-quality foraging habitat for black cockatoos, and 0.72 ha and 0.80 ha of medium quality foraging habitat for Carnaby's cockatoo and Baudin's cockatoo, respectively.

Loss of up to 0.16 ha of native vegetation fauna habitat, including breeding, foraging and dispersal habitat, from clearing. (P375)

There appear to be some reliance in this Environmental Review on the reports prepared for City of Gosnells amendments and yet the EPA Report 1757 outlines why the EPA believes that there is not enough scientific certainty presented to set baseline conditions to ensure the threat of serious or irreversible damage to the GBSW and associated values is avoided. Given this, is the baseline monitoring of Wattle Grove South sufficiently robust that the water balance analysis generates reasonable estimates.

Cumulative effects of developments in and around Wattle Grove have already seen impacts on environmental values and the UBC's following comments on Inland waters, Terrestrial fauna, Flora and vegetation, and Holistic impact assessment, support values affected.

Inland Waters

The Emerge Associates 2024 water balance report on the hydrological implications of the proposed development predicts no adverse impacts on the GBSW. With the data available, it is difficult to assess the validity of this conclusion, primarily because little or no information is presented on the hydrology of the GBS wetlands themselves. Given the critical importance of water inflows to the long-term health of the wetlands, and the clear drying trend in southwest WA (driven by climate change and referred to explicitly in the Emerge report), this seems a major oversight.

Page 51, 52 of the Hyd2o report indicates that there will be an increase in surface water outflows directed towards GBSW and also MKSEA.

Modelling indicated surface water outflows would increase by 4,759 kL/yr compared to the existing condition and 13,674 kL/yr compared to the Amendment Area only development scenario. Of the additional 13,674 kL/yr as a result of UEUI development, 5,830 kL/yr is toward the GBSW area, with 7,844 kL/yr to the MKSEA open drains.

Should the City of Gosnells Town Planning Scheme 6 Amendments 166 and 169 (EPA Report 1757) be approved by the Minister for Environment then this project will ADD TO the surface water flows from those proposals. As noted in EPA Report, the proposed amendments have already been deemed to be at significant variance with the EPA's factor objectives (including inland waters).

It is the EPA Panel's view that the amendments as referred have residual impacts and holistic impacts that are significant and inconsistent with the EPA factor objectives for inland waters, flora and vegetation, and terrestrial fauna. The EPA Panel advises that baseline information and surveys are lacking comprehensiveness which is a significant limiting factor for the assessment.

The UBC believe that the MRS site is unsuitable for urban development. In addition, the EPA Assessment of this MRS Amendment should be delayed until the Minister has made a decision on EPA Report 1757.

The precautionary principle must be employed. The UBC supports the document and mapping by Daniel Jan Martin, University of Western Australia. His mapping of the 'permeable hydroplain shows that the subsurface flownet between the foothills and the Canning River flows through [the Wattle Grove south precinct] and feeds the Greater Briton Street Wetlands'.

The UBC supports the following statement: 'A rigorous, long-term study by independent hydrologists should be commenced immediately to fully understand the hydrology of the Greater Brixton Street Wetlands and to help determine how climate change, a drying climate and development will impact the wetlands and its plant species'. (Cate Tauss, December 2024)

Terrestrial fauna

Black Cockatoo: The Cumulative Impacts Table 7-15 (P315) outlines the anticipated impacts for Black Cockatoos from adjacent projects but does not reference the data found elsewhere in the Report for this MRS Amendment. Those details appear in Table 7-14 Fauna habitat retained within conservation areas and potential maximum clearing impact. (P307)

This table indicates that up to 29.54 ha of habitat may be cleared with the loss of up to 146 potential nesting trees. Table 7-15 identifies the potential loss of Black Cockatoo habitat of up to 66 ha and up to 537 potential nesting trees.

The Environmental Review document makes the case that the loss of potential nesting trees will be from degraded habitat and will not be significant. We argue that in terms of quantum this MRS creates additional losses of potential nesting trees of around 20%. Similarly, when considering habitat, the 5 projects in Table 7-15 identify a potential loss of habitat of up to 66 ha.

The further loss of up to 29.54 ha in this MRS Amendment represents an additional loss of 30%. We note that this is referenced in the Offset Table 11-1 (P354) where the residual impacts for habitat for fauna as not significant and hence not requiring an offset.

We believe that more potential nesting trees should be protected and that the degraded habitat where they are located (those areas scoring 3 or 5 for foraging habitat) should be revegetated to restore biodiversity values. Refer to Figure 7-4: Carnaby's cockatoo foraging habitat (P294).

Retaining these trees and revegetating those areas will have the added advantage of retaining canopy and supporting the City of Kalamunda's Urban Forest Strategy goals.

The City of Kalamunda's Local Biodiversity Strategy has been developed '*to guide the retention, conservation and management of Local Natural Areas for the perpetual wellbeing of our residents, enterprise, and ecosystems.*' The City's and that of the community's overarching vision is that they '*will protect, manage, and value the local biodiversity to ensure a lasting legacy for future generations.*' (Kalamunda.wa.gov.au).

Will this vision be able to be achieved if the whole area is rezoned urban? Black cockatoos are being managed to extinction.

Over 2024 '*...huge numbers of emaciated and starving birds are presenting to the Perth Zoo.*' '*Heat and drought killed food trees and late rainfall meant seed did not get a chance to set.*' (Perth Zoo).

Increasing temperatures due to climate change will threaten black cockatoos. In the summer of 2010, 150 Carnaby's Cockatoos and possibly some Baudin's died at Hopetoun. Further, at Munglinup, 37 white-tailed cockatoos, 6 regent parrots, one kestrel and other birds died. (WA Today Chris Thomson, 'Heat kills 150 endangered black cockatoos'. Jan 8, 2010).

'The birds [Carnaby's cockatoo] are in trouble, not only from clearing of native vegetation, but also from extreme climate events,' says Denis Saunders, who co-authored the scientists' recent paper for Pacific Conservation Biology.

'Long-term survival of Carnaby's Cockatoos will be impacted by changes in rainfall, projected to be 16% drier in winter and up to 20% drier in spring, and by an increase in the number of days with maxima $\geq 35^{\circ}\text{C}$, conditions when the birds are unable to forage. Conclusions. This drying and warming is likely to lead to a further contraction in the range of Carnaby's Cockatoo' (Saunders DA et al. (2024) A challenging future for Carnaby's Cockatoo (*Zanda latirostris*) under a changing climate.)

A judgement must be made that would give black cockatoos a chance to persist in Wattle Grove and associated suburbs. Loss of habitat through this proposal and cumulatively through clearing over the Swan Coastal Plain denies this chance.

Small Birds, Peregrin Falcon, Chuditch And Brush-Tailed Phascogale: The UBC also has concerns about persistence into the future of small birds. Extinct in Kings Park are the Western Yellow Robin, Scarlet Robin, Western Thornbill and Golden Whistler.

However, these birds are persisting '*in the greater Yule Brook area and have the potential to return in good numbers if habitat restoration and ecological linkages are implement and maintained (Zelinova, 2019)*' (p288 Lambers Hans 'A Jewel in the Frown of a Global Biodiversity Hotspot' 2019).

Also of concern is the 'Specially Protected' Peregrine Falcon. Listed mammals are Chuditch and Brush-tailed Phascogale. The Carpet Python is and its habitat is 'known to occur within area.' The concern of the UBC is that future planning processes will not protect habitat for fauna under a blanket urban rezoning.

Flora and vegetation

Table 6-14 (p247) indicates that the potential loss of native vegetation on adjacent projects is anticipated to be more than 55 ha. Much of this has been categorised at Banksia woodlands TEC; with significant amounts assessed as having been in good or better condition.

The Environmental Review for this project indicates that efforts will be made to protect high quality remnant native vegetation on this site. This is commendable given the potential losses in nearby projects.

All remnant native vegetation (in Good or better condition), inclusive of all remnant patches of Banksia Woodlands TEC and

probable FCT 20a, which makes up approximately 2.9% of the MRS amendment area, will be retained in Conservation areas.

Furthermore, all intact Southern River Complex and Forrestfield complex vegetation in good or better condition will be avoided, protected and managed. (P 245) However, there is an opportunity to protect potential nesting trees, to revegetate more of the area thus improving environmental values.

We believe it is very important that the final design and boundaries of the proposed conservation areas be fully inclusive of all remnant vegetation and that this be required in future local structure planning. The cumulative effect of clearing around Wattle Grove and over the Swan Coastal Plain, and in particular, the eastern side of the SCP must be considered.

Holistic Impact Assessment

Table 12.1 (p358, 359) clearly and unambiguously outlines the risks and impacts of clearing vegetation, the alteration of natural drainage regimes and the physical presence of future development on inland waters, flora and vegetation, terrestrial fauna, social surroundings and greenhouse gases and references the need for engineering or management solutions to all of these.

The UBC endorses the advice given by the EPA in the document 'Environmental values and pressures for the Greater Brixton Street Wetlands on the Swan Coastal Plain – Advice in accordance with section 16 (J) of the EPA Act 1986. The following quote is an example of the regard the EPA has for the Greater Brixton Street Wetlands.

The EPA has identified that a high level of protection and coordinated management is critical for the GBSW. There are opportunities to expand the Class A nature reserve within the GBSW and its buffers to create a more contiguous reserve system. Improvements to the coordination and management through a shared and expanded partnership involving all relevant groups including, Traditional Owners, would allow for holistic management of the entire GBSW area.

and:

'Direct and indirect impacts to the environmental values of the GBSW should be avoided to the greatest extent possible and practicable.' Thus, the UBC's concern is for any development that would compromise the amazing GBSW.

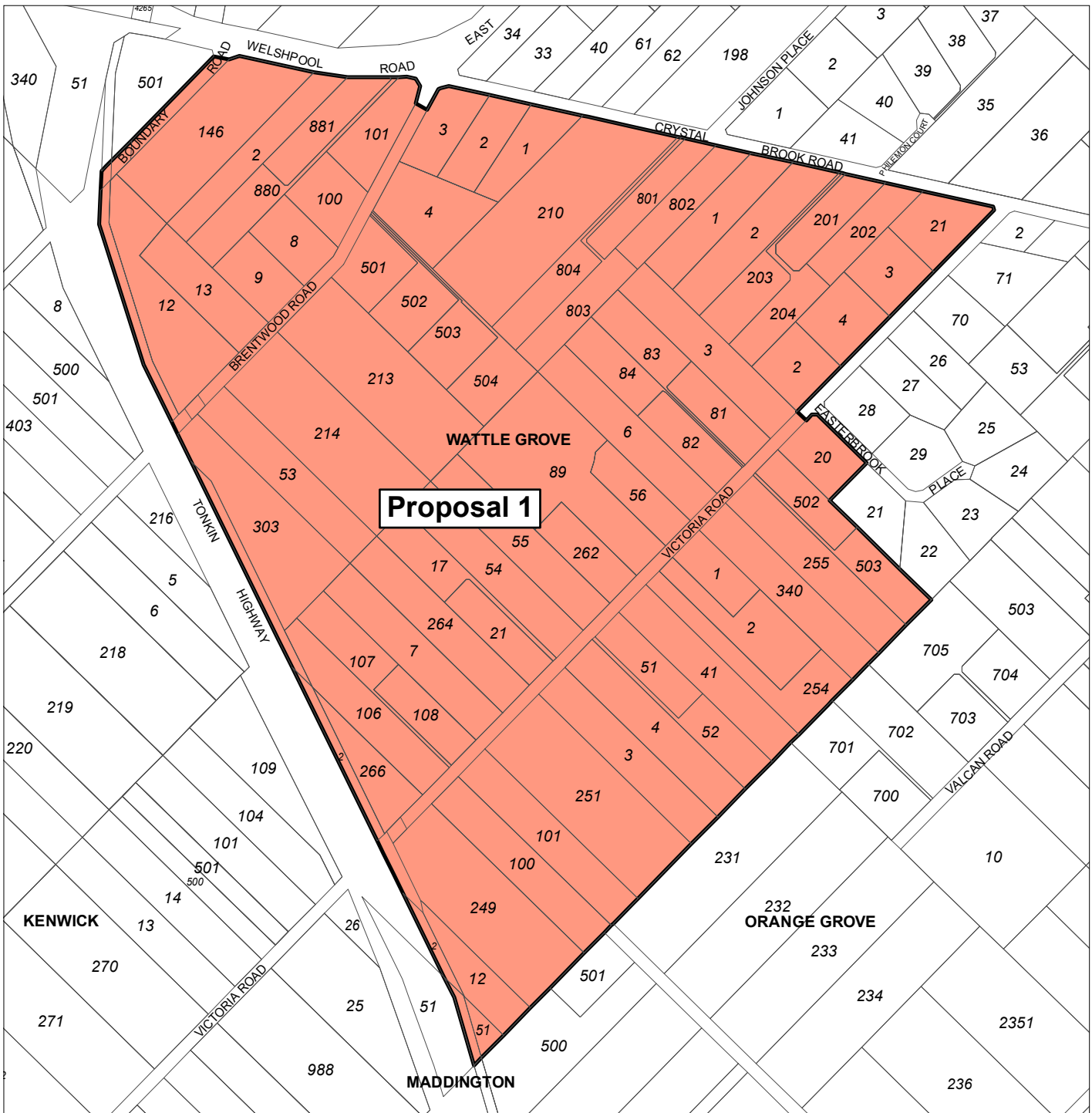
Should this MRS Amendment be supported by the EPA, the UBC recommend the most stringent of conditions and monitoring with the desired outcome being the full protection of GBSW, Yule Brook and the survival of Black Cockatoos.

Planning Comment: Comments noted. Refer to Part 6 of the *Report on Submissions*.

Determination: Submission noted.

Schedule 3

amendment figure/s (as advertised)



**Wattle Grove (South) Precinct
Proposed minor amendment
as advertised**

27 October 2021

Proposal 1

Proposed Amendment:

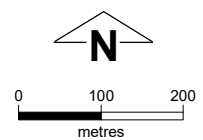
 Urban zone

Oracle reference no: 3467

Version number: 3

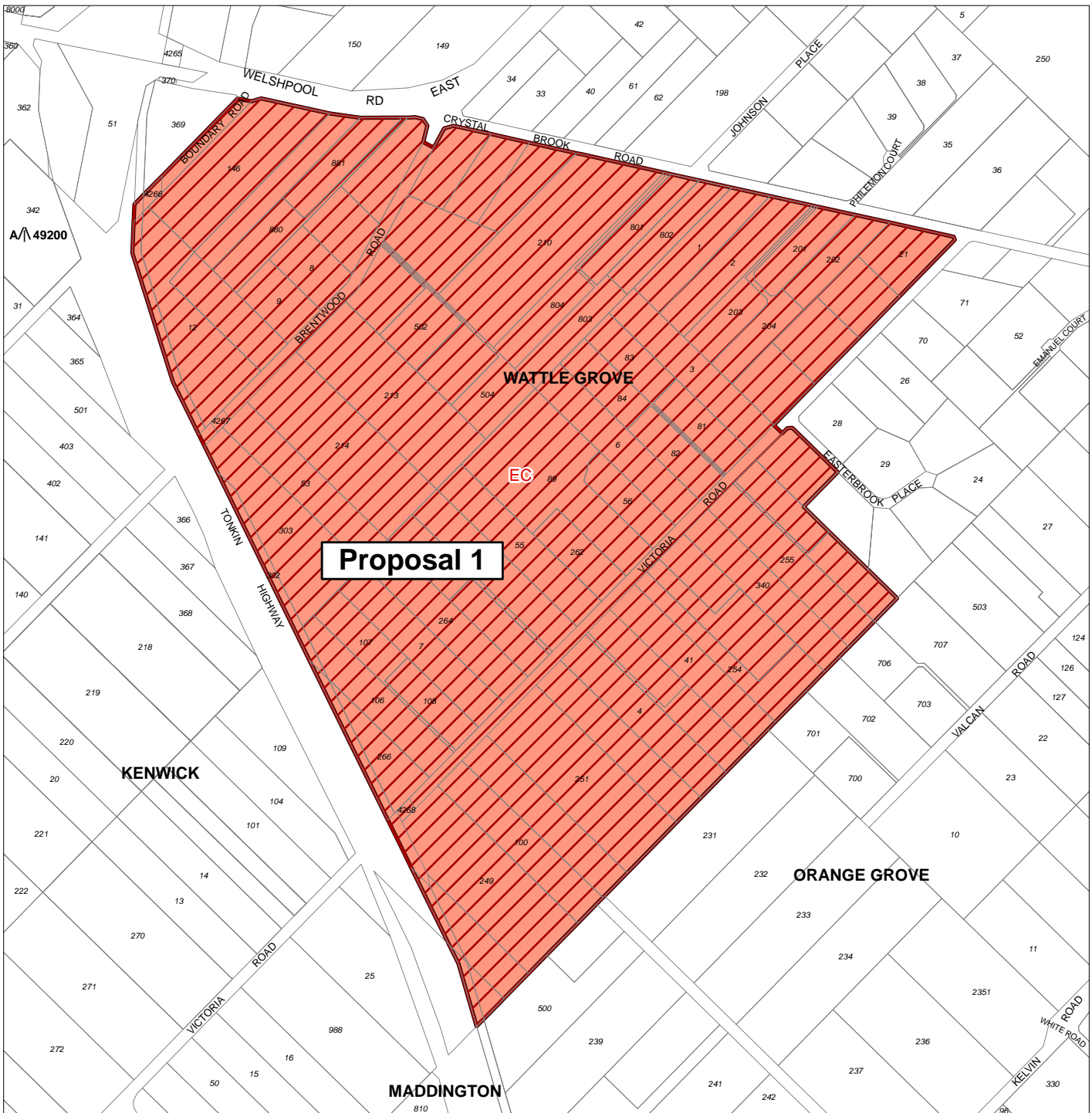


Date: 4/11/2021
Produced by Data Analytics, Department of Planning, Lands and Heritage, Perth WA
Base information supplied by Western Australian Land Information Authority SLIP 1180-2020-1



Schedule 4

amendment figure/s (as modified)



**Wattle Grove (South) Precinct
Proposed minor amendment
as modified**

22 April 2026

Proposal 1

Proposed Amendment:



Rural zone to Urban zone



Environmental conditions addition

Reference no: 3467

File no: 833/02/24/069

Version number: 4



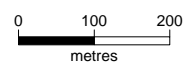
WAPC

Western
Australian
Planning
Commission

Date: 24/04/2026

Produced by Data Analytics, Department of Planning, Lands and Heritage, Perth WA

Base information supplied by Western Australian Land Information Authority SLIP 1447-2023-1



Schedule 5

Environmental Conditions Statement No. 1267

THIS DOCUMENT

This document has been produced by the Office of the Appeals Convenor as an electronic version of the original Statement for the proposal listed below as signed by the Minister and held by this Office. Whilst every effort is made to ensure its accuracy, no warranty is given as to the accuracy or completeness of this document.

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Published on: 3 March 2026

Statement No. 1267

STATEMENT THAT A SCHEME MAY BE IMPLEMENTED
(Environmental Protection Act 1986)

METROPOLITAN REGION SCHEME AMENDMENT 1388/57 –
WATTLE GROVE (SOUTH) URBAN PRECINCT

Scheme Purpose: The Metropolitan Region Scheme (MRS) Amendment proposed to rezone land in Wattle Grove South from the 'Rural' zone to the 'Urban' zone. The proposed 'Urban' zone will facilitate future residential development, areas of public open space and retention areas (conservation of environmental values) following a Local Planning Scheme (LPS) amendment, structure planning and subdivision and development approval.

Responsible Authority: Western Australian Planning Commission (WAPC)
Australian Company Number (ACN) 35 482 341 493

Responsible Authority address: Gordon Stephenson House, 140 William St, Perth WA 6000

Assessment number: 2335

Report of the Environmental Protection Authority: 1788

Introduction: Subject to the following conditions being incorporated into the Metropolitan Region Scheme (MRS), the Amendment to which the above Report 1788 of the Environmental Protection Authority (EPA) relates may be implemented.

ENVIRONMENTAL CONDITIONS FOR MRS AMENDMENT 1388/57

Environmental outcomes

1. Within the **Amendment Area**, it is an objective of this scheme that **subdivision** and **development** is consistent with the achievement of the environmental outcomes in condition 3.
2. The **Responsible Authority** must act consistently with:
 - (1) the requirements of **Ministerial Statement 1267**; and
 - (2) the achievement of the environmental outcomes in condition 3;when exercising powers under this scheme or when determining an application to **subdivide** land in the **Amendment Area**.
3. The environmental outcomes are:
 - (1) Avoid **disturbance** to the following environmental values within **retention areas** (Figure 1), except when undertaking **low impact activities**:
 - (a) *Banksia attenuata* woodlands over species rich dense shrublands (FCT 20a);
 - (b) Shrublands and Woodlands of the Eastern Swan Coastal Plain (FCT 20c);
 - (c) **Viable populations** of *Conospermum undulatum*;
 - (d) **Viable populations** of *Isopogon autumnalis*;
 - (e) **medium to high quality foraging habitat** for carnaby's cockatoo (*Zanda latirostris*) and baudin's cockatoo (*Zanda baudinii*); and
 - (f) **potential nesting trees**.
 - (2) Avoid **disturbance** to **black cockatoo known nesting trees** and **roosting sites** within the **Amendment Area**.
 - (3) Retain trees or, where retention is not practicable, replace trees in the **Amendment Area** to:
 - (a) achieve a generally even distribution of trees across parts of the **Amendment Area** that are not within **retention areas**; and
 - (b) to create connectivity between **retention areas** and retained **black cockatoo** habitat.
 - (4) Avoid or where not practicable, minimise **adverse impacts** to the **Greater Brixton Street Wetlands** from urban **development** of the **Amendment Area**, including impacts to the wetlands' persistency, hydrological regime, water quality, ecological integrity and ecological function.

Conservation Area Management Plans

4. The **Responsible Authority** must not approve any **subdivision** (other than **minor subdivision**) or **development** for land that includes all or part of a **retention area** unless it is satisfied, after consulting with **DWER, DBCA** and the local government, that:

- (1) a Conservation Area Management Plan has been prepared for the **retention area**; and
- (2) the Conservation Area Management Plan is consistent with the achievement of the environmental outcomes in condition 3 and:
 - (a) provides for the installation and maintenance of appropriate fencing around the periphery of the **retention area**;
 - (b) provides for the monitoring of occurrences of **Threatened Ecological Community (TECs)** and populations of **threatened** flora; and
 - (c) identifies actions that will be implemented to ensure that:
 - (i) occurrences of **TECs** that are in 'degraded' condition are restored to achieve a condition rating of 'good' or better, in accordance with **Keighery 1994**;
 - (ii) populations of **threatened** flora are maintained or increased;
 - (iii) **buffers** to **threatened** flora are established and maintained;
 - (iv) the spread of existing weed species and pathogens, and the introduction of new weed species and pathogens, is minimised;
 - (d) provides that the only **development** to occur within the **retention area** is to be **development** for the purposes of conservation or incidental purposes; and
- (3) satisfactory arrangements have or will be made for the implementation of the Conservation Area Management Plan.

Black cockatoos

5. The **Responsible Authority** must not approve any **subdivision** (other than **minor subdivision**) or **development** for any land in the **Amendment Area** that is **unsurveyed land** unless it is satisfied that a **black cockatoo** survey that meets the requirements of **DWER** has been carried out for that **unsurveyed land**.
6. The **Responsible Authority** must not approve any **subdivision** or **development** for any land in the **Amendment Area**, if the **subdivision** or **development** is likely to impact a **potential nesting tree** unless it is satisfied, after consulting with **DWER**, that:
 - (1) an assessment has been carried out to identify, record and determine the number of **potential nesting trees** likely to be impacted and the number of potential nesting trees likely to be retained;
 - (2) the number of **potential nesting trees** likely to be impacted has been quantified; and
 - (3) at least twice the number of **potential nesting trees** likely to be impacted will be replaced by planting within the **Amendment Area**.

Tree canopy

7. The **Responsible Authority** must not approve any **subdivision** (other than **minor subdivision**) or **development** for any land in the **Amendment Area** unless it is satisfied that:

- (1) a Tree Canopy Retention and Landscape Management Plan for the land has been prepared, having regard to any urban forest strategy adopted by the City of Kalamunda; and
- (2) the Tree Canopy Retention and Landscape Management Plan is consistent with the achievement of the environmental outcomes in condition 3 and:
 - (a) identifies the location, species, size and structural health of any trees to be retained, with particular regard to **potential nesting trees**;
 - (b) identifies the location, species, number, planting size, mature height and spread of trees to be planted;
 - (c) identifies the planting schedule for the trees to be planted; and
 - (d) estimates the percentage of canopy coverage expected to be achieved through implementation of the plan; and
- (3) satisfactory arrangements have or will be made for the implementation of the Tree Canopy Retention and Landscape Management Plan,

unless the **Responsible Authority** considers that a plan, or a plan that meets all the requirements in condition 7(2), is not required.

Water management

8. The **Responsible Authority** must not approve any **structure plan** for the **Amendment area** unless it is satisfied, after consulting with **DWER, DBCA** and the local government, that the **structure plan** includes a **Local Water Management Strategy (LWMS)** for the land the subject of the **structure plan** that is consistent with:
 - (1) any relevant approved District Water Management Strategy; and
 - (2) the achievement of the environmental outcome in condition 3(4).
9. The **Responsible Authority** must not approve any **subdivision** (other than **minor subdivision**) or **development** unless it is satisfied, after consulting with **DWER, DBCA** and the local government, that:
 - (1) an **Urban Water Management Plan (UWMP)** has been prepared for the land the subject of the **subdivision** or **development**; and
 - (2) the **UWMP** is consistent with the applicable **LWMS** and informed by the **results of any pre-development monitoring program**,

unless the **Responsible Authority** considers, after consulting with **DWER**, that a **UWMP**, or a **UWMP** that meets the requirements in condition 8(2), is not required.

Reporting

10. The **Responsible Authority** must submit an environmental performance report which is inclusive of all **subdivisions** within the **Amendment Area** to **DWER** within three months after the end of the **Initial Report Year** and subsequently within three months after the end of each **Report Period** or by such later date as **DWER** confirms in writing, until **DWER** confirms in writing that reports no longer need to be submitted under this condition.
11. An environmental performance report must:

- (1) identify any **structure plan** approved by the **Responsible Authority** for all or part of the **Amendment Area**; and
- (2) demonstrate, in relation to the preceding **Report Period** how the **Responsible Authority** has acted consistently with the requirements of **Ministerial Statement 1267** and the achievement of the environmental outcomes in condition 3 when exercising powers under this scheme or when determining an application to **subdivide** land in the **Amendment Area**.

Definitions

12. Defined terms in these conditions have the meaning set out in Table 1 of **Ministerial Statement 1267**.

[signed on 27 February 2026]

Hon. Matthew Swinbourn BA LLB MLC

MINISTER FOR THE ENVIRONMENT; COMMUNITY SERVICES; HOMELESSNESS

Key decision-making authority consulted under section 48F(1):
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Minister for Planning

Table 1: Definitions

Acronym or abbreviation	Definition or term
Adverse impacts	<p>Negative change that is neither trivial nor negligible that could result in a reduction in health, diversity or abundance of the receptor/s being impacted, or a reduction in environmental value. Adverse impacts can arise from direct or indirect impacts, or other impacts from the implementation of the scheme.</p> <p>In relation to flora and vegetation and terrestrial fauna, includes but is not limited to change in hydrology, altered fire regime and edge effects.</p>
Amendment	MRS Amendment 1388/57
Amendment area	The land subject of MRS Amendment 1388/57. As depicted on Figure 1.
Black cockatoo	Includes carnaby's cockatoo (<i>Zanda latirostris</i>), forest red-tailed black cockatoo (<i>Calyptorhynchus banksii naso</i>) and baudin's cockatoo (<i>Zanda baudinii</i>).
Buffer	Adequate area adjacent to the environmental value important for protecting its integrity and providing protection from direct disturbance , to reduce the risk of significant adverse impact.
DBCA	Department of Biodiversity, Conservation and Attractions
Development	As defined in the <i>Planning and Development Act 2005</i> .
Disturb/ disturbance	<p>Directly has or materially contributes to the disturbance effect on health, diversity or abundance of the receptor/s being impacted or on an environmental value.</p> <p>In relation to flora, vegetation, or fauna habitat, includes to result in death, destruction, removal, severing or doing substantial damage to.</p> <p>In relation to fauna, includes to have the effect of altering the natural behaviour of fauna to its detriment.</p> <p>In relation to inland waters, includes to have the effect of altering hydrological regimes or water quality to the detriment of the environmental values supported by or dependent on surface water and/or groundwater.</p>
DWER	Department of Water and Environmental Regulation
Environmental Review Document (ERD)	Coterra Environment, Pentium Water, Hyd2o, Emerge Associates, Phoenix Environmental Services, JBS&G, EPCAD Pty Ltd, Element, CLE Town Planning + Design, MBS Environmental, GBG Group, Douglas Partners, Bennelongia Environmental Consultants 2024, Environmental Review Metropolitan Region Scheme Amendment 1388/57 – Wattle Grove South. EPA Assessment No: 2335. Rev 4 (September).
FCT	Floristic Community Type

Acronym or abbreviation	Definition or term
Greater Brixton Street Wetlands	As depicted in Figure 1 of the EPA 2022. Environmental values and pressures for the Greater Brixton Street Wetlands on the Swan Coastal Plain Advice in accordance with section 16(j) of the <i>Environmental Protection Act 1986, EPA, WA</i> .
Initial Report Year	The 12 month period commencing on the date the first subdivision within the Amendment Area is first approved.
Keighery 1994	Keighery, B.J. (1994). Bushland Plant Survey: a Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc.), Nedlands, Western Australia.
Known nesting trees	Trees (live or dead but still standing) which contains a hollow where black cockatoo breeding has been recorded or which demonstrates evidence of breeding (i.e. showing evidence of use through scratches, chew marks or feathers).
Local Water Management Strategy (LWMS)	Water management document prepared in accordance with the relevant guideline to support rezoning at the local scheme amendment stage. <i>Interim – Developing a Local Water Management Strategy</i> (DoW, 2008).
Low impact activities	Activities involving minimal disturbance of ground or vegetation, including revegetation, rehabilitation monitoring of fauna, vegetation or water, or management activities associated with feral fauna control or weed control.
Medium to High quality foraging habitat	As defined in Table 7-10 of Environmental Review Document (ERD) .
Ministerial Statement 1267	Statement that a Scheme may be Implemented No. 1267 published on 3 March 2026.
Minor subdivision	Subdivision of a minor nature that does not involve any subdivision works and does not impede the achievement of the environmental outcomes in Ministerial Statement 1267 .
Potential nesting trees	Trees that have a Diameter at Breast Height greater than 300 mm but do not currently have hollows.
Recovery plan	Plans that outline the actions that are needed to help threatened species or ecological communities survive and 'recover' to a healthy level, including: <ul style="list-style-type: none"> • Department of Parks and Wildlife (2016). <i>Banksia attenuata</i> woodlands over species rich dense shrublands (Swan Coastal Plain community type 20a – Gibson et al. 1994). Interim Recovery Plan No. 359. Parks and Wildlife, Kensington, Western Australia. • Department of Environment and Conservation (2009). Wavy-leaved smokebush (<i>Conospermum undulatum</i>)

Acronym or abbreviation	Definition or term
	Recovery Plan. Commonwealth Department of the Environment, Water, Heritage and the Arts, Canberra.
Report Period	The 36 month period commencing on the date of conclusion of the Initial Report Year , and every subsequent 36 month period.
Responsible authority	Western Australian Planning Commission (WAPC)
Retention area(s)	Retention area(s) as shown in Figure 1
Roosting site	Habitat that contains one, or a group of, known or potential roosting trees as defined in Department of Agriculture, Water and the Environment (DAWE) 2022, Referral guideline for 3 WA threatened black cockatoo species Carnaby's Cockatoo, Baudin's Cockatoo and the Forest Red-tailed Black cockatoo, Department of Agriculture, Water and the Environment, Canberra.
Structure Plan	As defined in the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> .
Subdivide/ Subdivision(s)	Division or amalgamation of lots as approved by the WAPC under the <i>Strata Titles Act 1985 / Planning and Development Act 2005</i> .
Threatened	Listed by order of the Minister as Threatened in the category of critically endangered, endangered or vulnerable under section 19(1), or a rediscovered species to be regarded as threatened species under section 26(2) of the <i>Biodiversity Conservation Act 2016 (WA)</i> .
Threatened Ecological Community (TEC)	A Threatened Ecological Community is a vegetation community which is found to fit into one of the following categories; "presumed totally destroyed", "critically endangered", "endangered" or "vulnerable" under the <i>Biodiversity Conservation Act 2016 (WA)</i> and/or <i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i> .
Unsurveyed Land	Areas depicted as "Unsurveyed Areas" in Figure 2.
Urban Water Management Plan (UWMP)	Water management document prepared in accordance with the relevant guideline and informed by any local water management strategy, to support a land-use planning proposal at the subdivision or development stage. <i>Better Urban Water Management (WAPC 2008)</i> ; <i>Urban water management plans – Guidelines for preparing plans and for complying with subdivision conditions (DoW 2008)</i> .
Viable populations	The viability of a population (including in relation to species function, habitat requirements and buffers , and population stability) is to be determined in consultation with DBCA consistently with any relevant recovery plan .

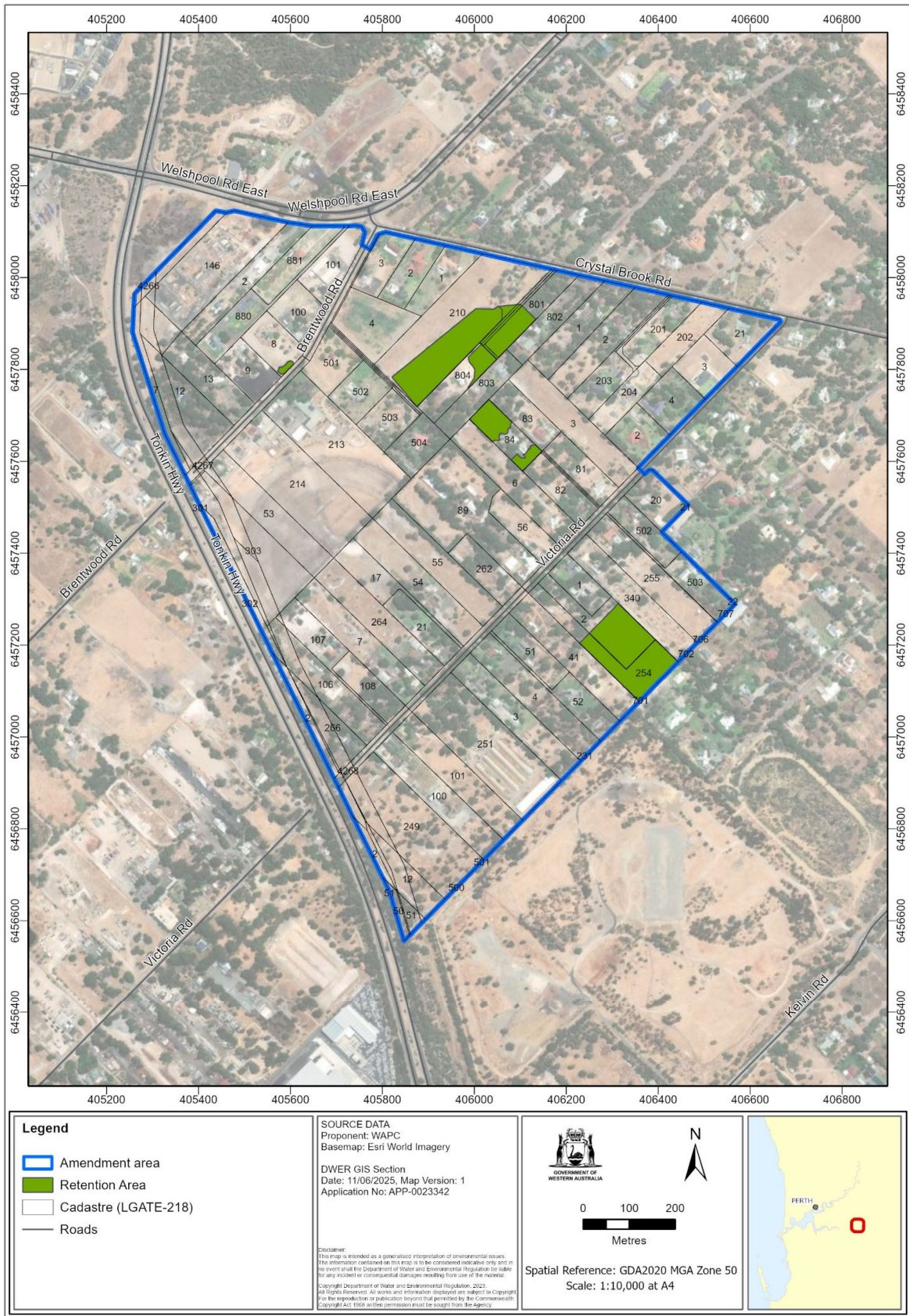


Figure 1: Amendment area and retention area

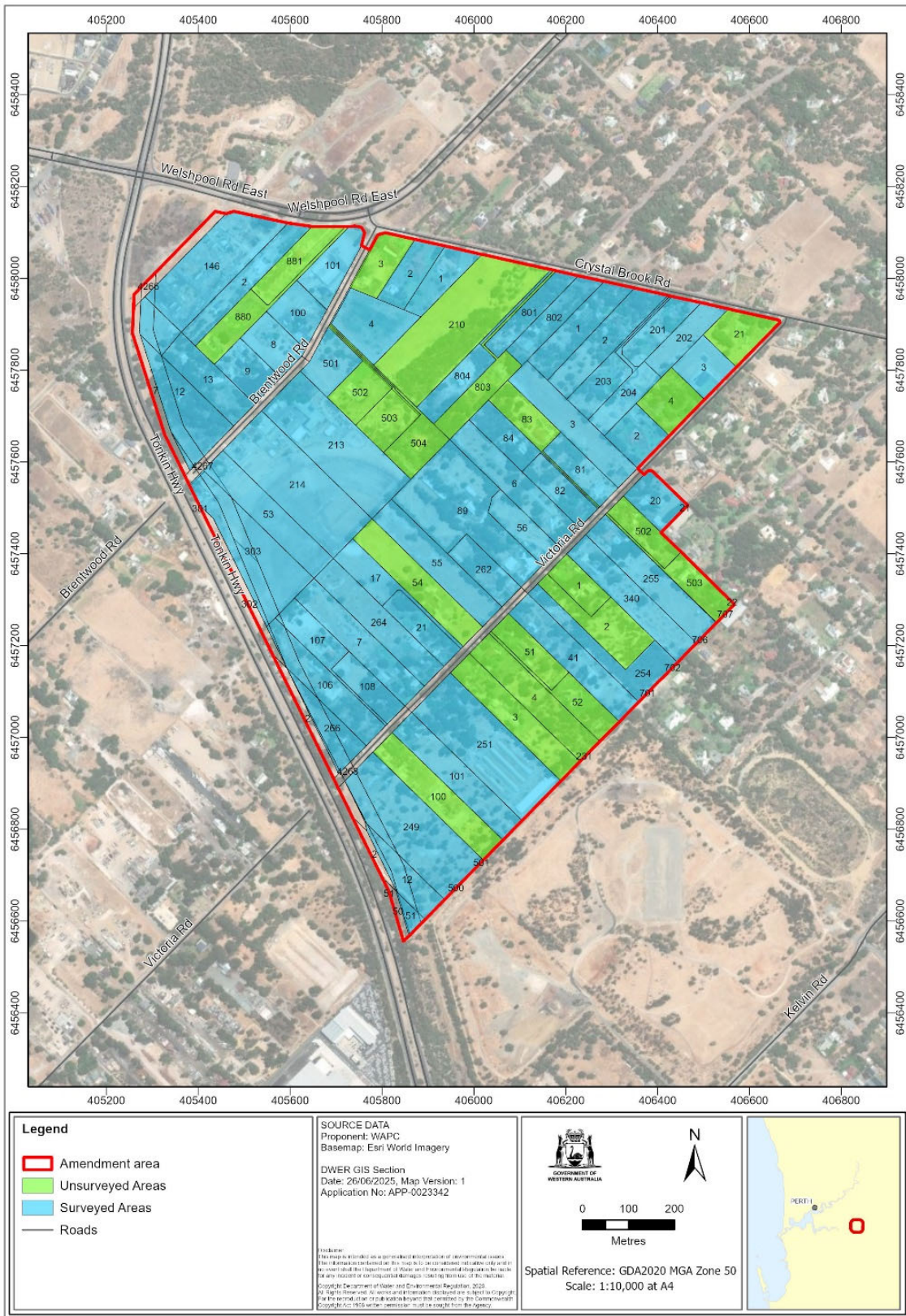


Figure 2: Unsurveyed areas (source: ERD)

Schedule 6

Addition to Metropolitan Region Scheme
Schedule 1 Environmental Conditions

SCHEDULE 1
ENVIRONMENTAL CONDITIONS

AMENDMENT NO AND GAZETTAL DATE	LOCATION	ENVIRONMENTAL CONDITIONS
<p>METROPOLITAN REGION SCHEME AMENDMENT NO. 1388/57</p> <p>WATTLE GROVE (SOUTH) PRECINCT</p> <p>Effective Date: Gazettal:</p>	<p>Wattle Grove: Land generally bounded by Crystal Brook Road / Welshpool Road East to the south, Boundary Road and Tonkin Highway to the west, Victoria Road and Rural zoned land to the east.</p>	<p>Environmental outcomes</p> <ol style="list-style-type: none"> 1. Within the Amendment Area, it is an objective of this scheme that subdivision and development is consistent with the achievement of the environmental outcomes in condition 3. 2. The Responsible Authority must act consistently with: <ol style="list-style-type: none"> (1) the requirements of Ministerial Statement 1267; and (2) the achievement of the environmental outcomes in condition 3; when exercising powers under this scheme or when determining an application to subdivide land in the Amendment Area. 3. The environmental outcomes are: <ol style="list-style-type: none"> (1) Avoid disturbance to the following environmental values within retention areas (Figure 1), except when undertaking low impact activities: <ol style="list-style-type: none"> (a) Banksia attenuata woodlands over species rich dense shrublands (FCT 20a); (b) Shrublands and Woodlands of the Eastern Swan Coastal Plain (FCT 20c); (c) Viable populations of Conospermum undulatum; (d) Viable populations of Isopogon autumnalis; (e) medium to high quality foraging habitat for carnaby's cockatoo (Zanda latirostris) and baudin's cockatoo (Zanda baudinii); and (f) potential nesting trees.

		<p>(2) Avoid disturbance to black cockatoo known nesting trees and roosting sites within the Amendment Area.</p> <p>(3) Retain trees or, where retention is not practicable, replace trees in the Amendment Area to:</p> <p>(a) achieve a generally even distribution of trees across parts of the Amendment Area that are not within retention areas; and</p> <p>(b) to create connectivity between retention areas and retained black cockatoo habitat.</p> <p>(4) Avoid or where not practicable, minimise adverse impacts to the Greater Brixton Street Wetlands from urban development of the Amendment Area, including impacts to the wetlands' persistency, hydrological regime, water quality, ecological integrity and ecological function.</p> <p>Conservation Area Management Plans</p> <p>4. The Responsible Authority must not approve any subdivision (other than minor subdivision) or development for land that includes all or part of a retention area unless it is satisfied, after consulting with DWER, DBCA and the local government, that:</p> <p>(1) a Conservation Area Management Plan has been prepared for the retention area; and</p> <p>(2) the Conservation Area Management Plan is consistent with the achievement of the environmental outcomes in condition 3 and:</p> <p>(a) provides for the installation and maintenance of appropriate fencing around the periphery of the retention area;</p>
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		<p>(b) provides for the monitoring of occurrences of Threatened Ecological Community (TECs) and populations of threatened flora; and</p> <p>(c) identifies actions that will be implemented to ensure that:</p> <ul style="list-style-type: none"> (i) occurrences of TECs that are in 'degraded' condition are restored to achieve a condition rating of 'good' or better, in accordance with Keighery 1994; (ii) populations of threatened flora are maintained or increased; (iii) buffers to threatened flora are established and maintained; (iv) the spread of existing weed species and pathogens, and the introduction of new weed species and pathogens, is minimised; <p>(d) provides that the only development to occur within the retention area is to be development for the purposes of conservation or incidental purposes; and</p> <p>(3) satisfactory arrangements have or will be made for the implementation of the Conservation Area Management Plan.</p> <p>Black cockatoos</p> <p>5. The Responsible Authority must not approve any subdivision (other than minor subdivision) or development for any land in the Amendment Area that is unsurveyed land unless it is satisfied that a black cockatoo survey that meets the requirements of DWER has been carried out for that unsurveyed land.</p>
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		<p>6. The Responsible Authority must not approve any subdivision or development for any land in the Amendment Area, if the subdivision or development is likely to impact a potential nesting tree unless it is satisfied, after consulting with DWER, that:</p> <ul style="list-style-type: none">(1) an assessment has been carried out to identify, record and determine the number of potential nesting trees likely to be impacted and the number of potential nesting trees likely to be retained;(2) the number of potential nesting trees likely to be impacted has been quantified; and(3) at least twice the number of potential nesting trees likely to be impacted will be replaced by planting within the Amendment Area. <p>Tree canopy</p> <p>7. The Responsible Authority must not approve any subdivision (other than minor subdivision) or development for any land in the Amendment Area unless it is satisfied that:</p> <ul style="list-style-type: none">(1) a Tree Canopy Retention and Landscape Management Plan for the land has been prepared, having regard to any urban forest strategy adopted by the City of Kalamunda; and(2) the Tree Canopy Retention and Landscape Management Plan is consistent with the achievement of the environmental outcomes in condition 3 and:<ul style="list-style-type: none">(a) identifies the location, species, size and structural health of any trees to be retained, with particular regard to potential nesting trees;(b) identifies the location, species, number, planting size, mature height and spread of trees to be planted;
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		<p>(c) identifies the planting schedule for the trees to be planted; and</p> <p>(d) estimates the percentage of canopy coverage expected to be achieved through implementation of the plan; and</p> <p>(3) satisfactory arrangements have or will be made for the implementation of the Tree Canopy Retention and Landscape Management Plan, unless the Responsible Authority considers that a plan, or a plan that meets all the requirements in condition 7(2), is not required.</p> <p>Water management</p> <p>8. The Responsible Authority must not approve any structure plan for the Amendment area unless it is satisfied, after consulting with DWER, DBCA and the local government, that the structure plan includes a Local Water Management Strategy (LWMS) for the land the subject of the structure plan that is consistent with:</p> <p>(1) any relevant approved District Water Management Strategy; and</p> <p>(2) the achievement of the environmental outcome in condition 3(4).</p> <p>9. The Responsible Authority must not approve any subdivision (other than minor subdivision) or development unless it is satisfied, after consulting with DWER, DBCA and the local government, that:</p> <p>(1) an Urban Water Management Plan (UWMP) has been prepared for the land the subject of the subdivision or development; and</p> <p>(2) the UWMP is consistent with the applicable LWMS and informed by the results of any pre-development monitoring program, unless the Responsible Authority considers, after consulting with</p>
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DWER, that a UWMP, or a UWMP that meets the requirements in condition 8(2), is not required.

Reporting

10. The Responsible Authority must submit an environmental performance report which is inclusive of all subdivisions within the Amendment Area to DWER within three months after the end of the Initial Report Year and subsequently within three months after the end of each Report Period or by such later date as DWER confirms in writing, until DWER confirms in writing that reports no longer need to be submitted under this condition.

11. An environmental performance report must:

- (1) identify any structure plan approved by the Responsible Authority for all or part of the Amendment Area; and
- (2) demonstrate, in relation to the preceding Report Period how the Responsible Authority has acted consistently with the requirements of Ministerial Statement 1267 and the achievement of the environmental outcomes in condition 3 when exercising powers under this scheme or when determining an application to subdivide land in the Amendment Area.

Definitions

12. Defined terms in these conditions have the meaning set out in Table 1 of Ministerial Statement 1267.

Appendix A

list of plans (as advertised)

Metropolitan Region Scheme Amendment 1388/57 Wattle Grove (South) Precinct

as advertised

Amending Plan 3.2787

Detail Plans: 1.6388, 1.6389, 1.6406, 1.6407

Appendix B

list of plans (as modified)

Metropolitan Region Scheme Amendment 1388/57 Wattle Grove (South) Precinct

as modified

Amending Plan 3.2787/1

Detail Plans: 1.6388, 1.6389, 1.6406, 1.6407

