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**Nature Reserves Preservation Group, Inc.**

**Date:** November 13 2015  
**TO:** LNreview@planning.wa.gov.au  
**CC:**  
**Subject:** Department of Planning, WAPC draft Liveable Neighbourhoods 2015

Dear Sir,

Nature Reserves Preservation Group (NRPG), an umbrella environmental group within the Shire of Kalamunda, has been making submissions on behalf of members for 26 years. Over this period, areas of remnant bushland and natural wetlands have been lost to development, despite submissions for retention of such areas in their natural state. This submission addresses what we see as shortcomings of the planning system reflected in the above text and NRPG welcomes the opportunity to comment on the draft.

In past submissions, our main concern, has been the continuing and escalating loss of remnant vegetation within the Shire of Kalamunda, the metropolitan area and state wide. The loss of such areas is simply one link in a lethal chain, the last link being the extinction of endangered flora and, through loss of vital habitat, native fauna.

Whilst we recognise in this updated proposal, some acknowledgement of the changes since the first such document and its later 2009 iteration, we fail to see this current draft as reflecting the quantum shift in community attitudes to and, concern for the natural environment, which has taken place in the interim. This shift extends to more than just the community and its environmental groups. It extends to the State Government's statutory authority, the Environmental Protection Authority (EPA).

In July, the Environmental Protection Authority Interim Strategic advice on 'Perth and Peel @ 3.5 million' recognised that the current planning system was failing to protect remnant native vegetation. It declared that, whilst 72% of Bush Forever sites are reserved for Parks and Recreation, only 21% have any form of conservation tenure, stating that:

*"The areas reserved for parks and recreation not reserved for conservation provide the best opportunity to increase the level of conservation protection." (p. 35).*

When the Minister for Environment receives such comment from the peak State Environmental body, the Government and the community should be concerned.

For ease of reading, in addressing the above draft, following the relevant section reference, comments and observations will be ‘boxed’.

### **Liveable Neighbourhoods – Principal Objectives:**

Whilst we find “*sustainable urban structure*” “*public open space that meets the recreational, social and health needs of existing and future communities*”, “*incorporation of urban water management techniques into the urban design*”, encouraging, the sole, rather vague reference to the environment is tacked on, at the end of the Objectives in providing “*utility services in a land efficient, environmentally responsible and sustainable manner.*” Where is the commitment to preserving and enhancing the natural biodiversity? The omission of this as an objective gives a foretaste of the environmental neglect to come in the document.

### **Design Principles:**

The only principles referring to the environment are vague and concern the multiple uses for Public Open Space and optimising “*the efficient use of land*”. Once again, the natural environment fails to feature; a shocking omission.

### **Approach:**

Only a passing vague reference to “*the principles of sustainability*” and “*sustainable, walkable urban communities.*”

### **District Structure Plan/Local Structure Plan:**

Whilst the first provides for input from “*landowners, local government or the WAPC*”, the second, prepared by “*local government, a landowner or landowner representative*”, places undue reliance on those ill-equipped to address environmental problems. Too often, we are told that any environmental problems revealed at the District Structure Plan stage or questioned by the EPA (where involved) will “*be addressed at the Local Structure Plan stage.*”

### **Element 1 Community Design.**

**Objective 1:** “*To achieve a sustainable urban structure that balances the provision of urban development through site-responsive design.*”

Whilst we applaud the use of the multi-layered site analysis to produce “*environmentally responsive design*”, the priorities expressed place far too much emphasis on avoiding a “*poorly-connected urban structure that is over reliant on motor vehicles...*” Surely, the emphasis should be placed on emphasising the need to avoid poorly-connected remnant natural areas capable of serving as wildlife corridors, greenways or biodiversity linkages? These areas should provide the basis for all other development ‘layers’.

### **Site and context analysis requirements:**

Whilst these requirements are said to be undertaken “*as part of the structure planning process...*” it should be specified that they should be applied at the District level, rather than at the Local level (see earlier comment). The requirements (1.1 to 1.5) encapsulate many of our concerns yet, are couched in terms which, when used in past documents, have given sufficient ‘wriggle room’ for planners to avoid having to ensure the protection of the natural environmental assets of an area. Until these requirements are defined in unambiguous terms and strictly adhered to, natural remnant vegetation will continue to be lost at an increasing rate.

### **Objective 5: Provide public open space that meets the recreational, social and health needs of existing and future communities.**

The whole thrust of this objective misses an opportunity to push for the establishment of green initiatives such as wildlife corridors, greenways and ecological linkages, many of which exist at the local government level (at least in print, if not in implementation). This objective, in both its title and its detail, should acknowledge that many of these “*social and health needs*” are inextricably linked with the health and the needs of the natural environment. Adverse outcomes for the latter result in similarly adverse outcomes for the former. The use of the three terms – “*sport, nature and recreation*” is a retrograde step and the shortcomings of such nomenclature only to be expected, given the Classification Framework from which they are derived.

### **Public Open Space Network Requirements:**

Yet again, a missed opportunity to stress the importance of natural environmental values in areas of public open space. These requirements place the emphasis on the need to accommodate the general population and their activities, rather than on the need to structure those activities around existing and potential biodiversity corridors. We would like to see 5.3 reflect such a change in emphasis.

### **Urban Water Management Objective 6:**

Given the increasing population pressures and the acknowledgement of our drying regional climate, it is encouraging to see this objective stated. Several recent development initiatives in the metropolitan area and the southwest demonstrate a determination to improve water management in any development scheme. Unfortunately, with some local governments, lack of attention to detail and unwillingness to change established mindsets, means water problems still exist. Many such problems result in increased damage to natural watercourses treated and referred to for decades as ‘drains’.

### **Urban Water Management Requirements:**

Whilst it is heartening to see these requirements listed – all of which NRPG applauds, it must be acknowledged that, in the wake of Metropolitan Scheme Amendments and subsequent developments, most of these requirements appear to have been ignored. Wetlands have been lost, biodiversity values diminished and environmental damage done. This draft should incorporate mechanisms to ensure that all these requirements are adhered to at all levels.

### **Housing Choice and Residential Densities Requirements 7.1:**

Included here should be a requirement that high density housing should not be permitted in close proximity to areas of natural vegetation such as Parks and Recreation Reserves and Bush Forever sites. The current Forrestfield North District Structure Plan shows ‘High density residential’ abutting a Bush Forever site.

### **Infrastructure coordination, servicing and staging Objective 9: Provide utility services in a land efficient, environmentally responsible and sustainable manner.**

We support the concept of co-locating utilities to minimise the requirements to clear vegetation for some easements. We would also request that utilities be compelled to maintain such easements in the long term, as potential wildlife corridors and green links. There should also be a requirement for any clearing of vegetation to be carried out in a sensitive manner, rather than the current ‘scorched earth’ approach adopted by one prominent utility.

### **Element 2 Movement Network:**

**Errata:** Use of “medium” instead of “median” on figures 12, 13 and 15.

### **Design Principle 3: Ensure all streets provide space for utility services, stormwater drainage, street trees and lighting.**

This section contains encouraging statements. The importance of making provision for vegetation is stressed (‘Requirements 3.4’), the benefits of such plantings stated and *the “heat island effects”* acknowledged. Introducing the vision of an *“urban forest strategy”* is extremely encouraging. Such a vision should be enshrined in all local government strategies and schemes. Even a brief mention of the potential of *“permeable paving”* (the use of which is well-established in South Australia and features in several developments within the outer metropolitan region) is cause for celebration. Once again however, implementation of these requirements and principles must be ensured.

### **Supporting Documents:**

I would have expected to see the following listed:

**Cool Communities: Urban trees, climate and health.** Helen Brown, Dianne Katscherian, May Carter, Jeff Spickett. Curtin University report 2014?

### **Element4 Lot design: Lot solar orientation.**

Pleasing to see this aspect being stressed under the banner of liveability. Linked to this is the need for eaves and clerestory windows with overhangs on northern aspects. These provide warmth from the winter sun and protection from the summer sun.

**Design principle 6: Provide housing density and diversity to meet the changing community needs.**

See previous comments on Housing choice and residential densities near P&R and Bush Forever sites.

**Design Principle 7: provide sustainable utility services...**

The early determination for the provision of utility services is supported, particularly a proactive, rather than reactive approach to the *“feasibility and provision of alternative systems such as solar power...”* Some time ago, Vancouver, British Columbia, was attempting to have such proactive installations incorporated in commercial buildings (eg. The provision of inbuilt trunking to accommodate future solar panel wiring/piping). In an attempt to encourage such thinking, perhaps positive encouragement through the use of incentives could be explored?

**Element 5: Public Open Space. Design Principle 8. Coordinate the design and delivery of an integrated network of public open space that provides communities with access to nature, sport and recreation.**

Whilst sport and recreation play an important part in the liveability of a location, nature should be seen as the most prominent and important element in the character of any location. Having already expressed disappointment at the use of the current naming, the prospect of striking any *“balance”* between native vegetation retention and competing functions seems remote. Past examples of loss of remnant vegetation in pursuit of sporting facilities, gives little hope that, in any ‘contest’ the natural environment will prevail.

**Nature spaces.**

Referring to such sites as being *“managed ... whilst protecting environmental values”* is misleading. It ignores the fact that even *‘nature sites’* recognised as Bush Forever or designated Parks and Recreation Reserve (the highest level of protection for land of regional significance) continue to be cleared at an alarming rate under the current planning regime.

Most worrying is the following:

***“For land administration purposes, POS providing a nature function are to be reserved for the purposes of ‘recreation’ just as for any other POS contribution (as shown on plan of subdivision and local planning scheme maps) and not ‘conservation’ as they are not Bush Forever or protected under any other environmental legislation.”***

So now, are we to assume that areas designated as P&R are now *“for land administration purposes”* to be reserved for ‘recreation’ and to continue to be not *“protected under any other environmental legislation”*? Apart from an earlier reference to the Local Government Biodiversity Planning Guidelines for the Perth Metropolitan Region, the fate of the natural environment fails to be adequately addressed in this section.

## Local Government Public Open Space Strategies.

Most of this section is irrelevant, unless Local Government is compelled to implement past environmental recommendations from previous strategies and schemes. Only with such compulsion will the natural environment within those local government areas survive.

## Management orders and vesting.

This is one area where there needs to be a fresh start. Under the present system, we have examples of land, rezoned to P&R, intended for incorporation in a regional park, gazetted as such, now being threatened with rezoning for development purposes.

## Conclusion:

As stated in the introduction, our main concern is to prevent the loss of remnant natural vegetation, brought under threat by increasing development pressures. Whilst this draft goes some way towards addressing that concern, it fails to go far enough. Whilst the community is increasingly recognising the value of and benefits to be gained from retaining areas of remnant native vegetation, documents such as this draft fail to reflect a similar recognition at State Government level.

Like the past Chairman of the Environmental Protection Authority, Dr. Paul Vogel, We agree that:

***“If we are to give life to the principles of ecologically sustainable development, then we must place an appropriate weight on environmental values in decision making.” (p. 3)***

The current draft fails to do so. Far from the natural environment being a major consideration, the text of this draft relegates it to a subservient role in the planning process. There is absolutely no acknowledgement (within the myriad objectives, principles, elements, figures and tables) of the vital importance of the natural environment to creating and preserving a truly “liveable” neighbourhood.

Remnant vegetation complexes are, for the most part, below the ‘desired’ percentages remaining of pre-settlement figures. This is despite Government initiatives purporting to maintain minimum levels of such vegetation complexes and paying lip-service to the importance of adhering to those minima.

Currently, there is no satisfactory protection for areas of regional environmental significance (even Bush Forever sites) from the depredations of rezoning proposals under Metropolitan Region Scheme Amendments. Whilst there are numerous examples of rezoning from P&R to Urban, there are very few counter-rezonings, establishing P&R areas.

It must be acknowledged that, unless the natural environment, with its rich biodiversity and species benefits is given primacy in any planning initiatives, it will soon reach a point of decline from which it will be unable to recover. Biodiversity and its benefits, once lost, are gone forever. We are rapidly approaching what many consider to be that ‘tipping point’ beyond which there will be no recovery.

The WAPC Chairman's statement that since 1997, "*Liveable Neighbourhoods has successfully influenced the integration of the strategic and operational aspects of structure planning and subdivision development*" should have acknowledged that, since 1997, the policy has failed to halt the loss of valuable remnant vegetation and failed to acknowledge fully the symbiotic relationship between the populace and that natural environment.

When the State Government's Environmental watchdog implies that the current planning system is broken, it is surely time to rethink the approach to preserving the natural environmental values we have in this biodiversity hotspot. Too much attention seems to be paid to tinkering around the edges of a failing (or failed) system, with the resultant "business as usual" outcome, rather than redesigning the broken system to ensure better environmental outcomes.

Despite the impressive tables, diagrams and extended appendices of this document, NRPG considers it does little to address the threat to the biodiversity values of our area and that, unless drastic measures are taken to legislate for the protection of areas of remnant vegetation and their complexes, the 'tipping point' for drastic species extinction will soon be passed.

Yours faithfully,

Tony Fowler

President.