

President:
Steve Gates
040-870-887
9293-2915



P.O. Box 656
Kalamunda,
W.A., 6076

V. President:
Tony Fowler
Ph: 9293-2283

Nature Reserves Preservation Group, Inc.

Shire of Kalamunda
2 Railway Rd
Kalamunda, 6067
20 May 2008

TO: Chief Executive Officer – David Vaughan

SUBJECT: NRPG COMMENT ON KALAMUNDA LOCAL BIODIVERSITY STRATEGY DRAFT

Dear David,

The NRPG would like to commend the Shire of Kalamunda for adopting the Local Biodiversity Strategy and for putting effort into developing this document. We agree largely with the strategy, with the following comments:

General Comments:

1. Reference docs and other text on image backgrounds are difficult or impossible to read.
2. In general, species which are below, or at the 30% remaining representation should be assured absolute protection, regardless of the size, if their loss should mean extinction of the species. If this requires purchase of land, or land-swap to ensue this outcome, then funding is to be sourced, as necessary.

Specific Comments:

Section 5.2.3

We have a concern over the proposal not to protect Private land which is not covered by a management agreement of at least 5 years.

Section 6:

The vision statement: "The Shire of Kalamunda will protect, manage and promote the social, economic and environmental values of biodiversity to ensure a lasting legacy for future generations" does not say how much of the LNA's (quantity, size or percentage of original representation) will be protected. Without some indication, it could only protect a very small portion.

8.1.1 Target for TEC's:

What is the size definition of "significant natural area remaining"?

8.1.2 TEC/DRF:

"These species should be protected..." should read "...shall (or will) be protected..." to ensure that they are protected.

8.1.4 Box 6:

Retain & protect natural areas containing substantial populations of ... ". How is substantial defined? Priority 1 & 2 not be ensured absolute protection, regardless of the size, if their loss should mean extinction of the species.

8.2.1 Wetlands

Given the definition of the Environmental Protection Act 1986, (...environmental harm involving removal or destruction of... is prohibited.) and the fact that many wetlands in the Shire have been destroyed or damaged, it appears that the Act has been violated. It is therefore imperative that no further destruction of any wetlands occurs in order to avoid further potential for legal challenge to the Shire or owners of those areas within the Shire.

Box 7:

Should read "Retain and protect ALL natural areas containing...", in order to meet EPA 1986 requirements.

8.2.2 Waterways:

Box 8:

Due to the rapid spread of invasive weeds on waterways, it is imperative that all invasive weeds be prohibited from a buffer zone on all waterways. If this is not done, then it is simply a matter of time before the waterways of moderate to high value are threatened and destroyed. Our Friends Groups reserves on creeklines face this challenge constantly due to the lack of a policy of this kind. Please add this requirement.

8.3 .1 Ecological Linkages:

Box 9:

Add: "Where natural areas are not available for necessary linkages, create linkages from available land/degraded areas and revegetate as required to form suitable links."

9.1 Vegetation Complexes and Protection Levels

Para 5: Second sentence should read "Protection of at least 30% of the original extent of each complex within the Shire, plus buffers, is therefore the minimum target," Furthermore, just because a complex has more than the minimum 30% remaining, does not mean that it should automatically be allowed to decrease to that value – it can serve other valuable purposes, including simply to be appreciated as a natural area by the residents of the Shire.

9.2.1 & 9.2.2 Land Zoning and Costs associated with protecting natural areas:

The NRPG suggests that land which has high value as a conservation area/link, and which is zoned for development which is incompatible with conservation, and which has not been developed, should be considered as a conservation area/link in the identification process. For example, just because an area is zoned as say, industrial, this does not mean that it should be discounted for conservation. There may be ways in which it can be preserved or rehabilitated.

How this land is secured (potentially by purchase or other means) and rehabilitated is a separate issue to be determined later in the conservation process. There is funding and other avenues for raising the money required to purchase or otherwise safeguard these areas. One option the NRPG has proposed is that a voluntary "Environmental Levy" on the Shire rates notices could be a good source of income for the Shire to carry out these purchases and cover associated expenses.

Box 12:

It would seem that in view of the low representation of this complex, all areas should be retained and rehabilitated to increase the target toward at least 30 %. Considering the fact that this complex is regionally rare, failure to do this essentially condemns this complex to extinction. Furthermore it would wise to create generous buffers as Banksia is especially sensitive to Dieback.

Box 13:

Same comments as for box 12.

Box 15:

Same comments as for box 12.

10 Application of targets:

Last para: As the protection of LNAs is voluntary unless protected by State or Federal law or is a condition of subdivision or development, it is critical that the planning and building departments and any other parties involved with approval, are familiar with the KBP and Complex representations. While private land care incentives for protection are a step in the right direction, stronger enforcement and possibly purchase by the Shire and care by qualified environmental personnel, should be required to protect complexes which are critically endangered. Private land owners vary in their awareness and capability to protect natural areas, so these areas should be entrusted only to those able to ensure their protection.

10.1 Ecological Viability

Para 3: Priority being given only to areas greater than 4Ha would have meant that the Brae Rd property considered of such high value as to be purchased for conservation, would have been excluded. In a case where an area does not meet the 4Ha area, should a buffer be created to bring it up to this size?

11.1.2 Improved Reserve Management

The NRPNG would oppose the sale of reserves regardless of their value for conservation or recreation, as there are other ways to raise the funds to procure high value reserves, including a voluntary environmental levy referred to in comments on section 9.2.1.

Furthermore, the basis of the formation of the NRPNG was the strong objection by residents over the proposed sale of DOLA reserves for development in 1998. The value of reserves is also to give a sense of place. "Generation of income" is a short-term benefit and prevents for all time, any possibility of regenerating the area to a natural area.

11.2.1 Purchase of Reserves

It is puzzling as to why it is stated that grant funds are unlikely to be available. Past discussions in the biodiversity steering committee gave the impression that there are funds available for this purpose. The Brae Rd purchase by DPI is an example of this. However, as commented in section 9.2.1, a further means for funding any environmental projects/purchases could be a voluntary environmental levy included with the Shire rates.

11.2.2 Revolving Funds

It seems that the risk with on-selling covenanted land is that the purchaser may not be qualified or capable of maintaining the area against weeds, and other damage, with consequent degradation and loss of diversity.

11.4 Policy Development

In order to ensure that approvals for development (ie. Building approvals) are in line with the LPP, it will be necessary to ensure that not only Planning personnel are familiar with the policy but also the Building Approvals department. The NRPNG's understanding of the current building approvals process is that it does not require environmental evaluation.

11.4.2 LPP for Tree and Vegetation Preservation

The proposals in this suggestion are supported, however the state landclearing legislation referred to pertains to areas greater than 1 Ha in size, unless it contains significant species. In the Shire of Kalamunda, this excludes numerous areas from protection, particularly if it is not known what species exist on a property. This should be addressed in any LPP by decreasing this size and making a condition of clearing be that a survey be conducted prior. In addition, any clearing operation should be required to display signs clearly visible to passers-by with a clearing permit number displayed. This enables the community to help in monitoring illegal clearing.

The present allowance of clearing of up to 5 mature trees per year, is excessive on small blocks such as ¼ acre. The clearing of any antive trees and understorey should not be

allowed at all without shire approval, and clearing approval permit displayed. Precedents for these policies have been set in other localities such as Ku-Ring-Gai in NSW, (http://www.kmc.nsw.gov.au/resources/documents/TPO_2007_Actual_Order.pdf) as well as in Ojai California (http://www.ci.ojai.ca.us/index.asp?Type=B_BASIC&SEC=%7B5EF988C1-6026-4937-86C7-4C0DCC6053CF%7D)

11.5.3 Cluster developments are strongly supported with their potential to allow for better preservation of greenways, wildlife corridors and waterways. This as well as allowing for double storey developments in the denser township areas would also help prevent the loss of vegetation as more space around the dwellings would be available for greenspace.

11.7.1 Extension and Review of Existing Programs

The NRPB believes that more high-profile education and induction of the community into understanding the importance and contribution of the environmental health of the area, is of high importance. The NRPB proposed that the Shire disseminate and promote the environment with an environmental page in the local newspapers. The Shire has since initiated a community matters page in the local paper, however it is disappointing to see that there is typically little to no environmental content in it. As the community papers are so widely distributed, it would seem an ideal method of engaging the community on environmental matters, both positive and negative, in order to be meaningful. Applications for clearing and other potential issues such as weed topics, fire/weed cycle, spread of Dieback (motorcycles, etc), water conservation, climate change mitigation, etc. would be useful information.

11.8 Development of the Shire's Environmental Service

The NRPB strongly supports the proposed increased resources of the Bush Regeneration Team, Environmental officers and others such as Greencorps, as they have been of immense value and assistance to the volunteer friends groups, particularly on tasks which are typically difficult to keep volunteers interested. The Shire's environmental resources also provides continuity to projects which may lose volunteer coordinators from time to time.

The aforementioned voluntary Environmental Levy could be used to increase funding for these resources also.

11.9 Actions to reduce threats to biodiversity

The insidious threat of weeds and its relationship to fire regime are an area where much could be done. For example, an enforceable weed policy which prohibited the cultivation or existence of weeds on properties would help keep weeds from continually invading bushland, particularly in the case of streams. The hard work of volunteers and the Shire is continually undone by weed spreading from adjacent neighbours. Additionally, ensuring that weed control occurs after a fire and before natives re-grow, is a window of opportunity to prevent weeds from taking advantage of the increased nutrient and light.

11.9.1 Planting verges

The NRPB strongly supports this proposal as it not only provides a buffer for the reserves which many adjoin, but also reduces fire intensity risk and mowing/control in the long term.

11.9.2 Targeted Weed Control Strategy

See comments on 11.9 above.

11.9.4 Review of the Wildlife Corridor Strategy (WCS)

The NRPB supports an urgent review of the implementation status of the WCS to protect as much area as possible before development or degradation of the corridors occurs. We would also like to see further "cross-linking" of corridors where possible to further improve species survival. This concept was discussed during the Steering Committee workshops, and it was understood that it would be proposed in the KBPS.

11.10 Environmental Levy

The NRPG strongly supports an environmental levy, as noted in our comments to section 9.2.1.

If the levy is not voluntary, it may require community consultation. However, if it is voluntary and there is an option to donate to as part of the Rates invoice, then it should not require consultation as there is no impact on people who do not agree with it – they simply do not have to pay it. We understand that there has been some opposition at the Shire to the notion of voluntary levies, as this “will set a precedent for other activities in the community”. There appears to be no logical reason why this would be an issue, because it is purely voluntary so there would be no objection from the community, and the Shire collects more funding to further the activities supported for the community – a win-win situation.

The NRPG suggests that the Shire implement the voluntary environmental levy immediately and then initiate community consultation to determine the feasibility of mandatory levy.

Table 18: Action Plan for the Implementation of the Local Biodiversity Strategy

The NRPG supports the recommendations except as noted below, plus the following:

Please ensure that the name of the LPP for tree preservation also includes reference to “vegetation” or “understorey” to acknowledge the importance and irreplaceability of this vegetation, given the ease with which it can be slowly and insidiously destroyed.

Purchase Natural Areas by: “... sell reserves that serve not public or ecological function...”
The NRPG would like to withhold judgement on this as they would have to be considered on a case-by-case basis. If the area were able to be rehabilitated to function as a valuable ecological link, then it may be worth keeping. It would be necessary to have community consultation for these decisions.

Amend the Local Planning Scheme to support the protection of natural areas by:
The NRPG would like to see the Building Approvals department be familiarized with this for the cases where planning approval is not needed, but where there may be valuable native vegetation.

Why not allow cluster developments in residential and even business land zonings?

Other:

See comment on voluntary environmental levy above, not needing the delay of community consultation.

Also add: Education and PR for the environmental issues

Develop significant Tree Register to protect vulnerable areas, particularly in the township areas where there appears to be a propensity for them to be cut down without notice.

Further Actions:

The NRPG would like to suggest the use of a standard GANTT-PERT chart (timeline and tasks plan) to not only outline timeframe for implementation, but to determine the resources required to perform it.

13.1 Biodiversity Feature Targets

Table 19:

It appears that Toornaart Creek is missing?

13.2 Biodiversity Representation Targets

The NRPG would support the changes to the purposes of the reserves to meet the targets, but not at the expense of allowing other reserves to be lost or degraded by justifying that the targets are met, and that no further preservation of that community is required.

13.2.3 Southern River Representation Target

Is it not possible to arrange a land-swap to protect the area of the Kewdale Hazelmere masterplan which is subject to development?

13.2.5 Yarragil 1 Representation Target

The NRPG reiterates it's concerns regarding reliance on private land holders to adequately maintain a valuable LNAs for the long term.

13.2.6 Swan, Guildford, Cooke, Yarragil 2 and Swamp representation Targets

The NRPG would urge cooperative work with the Federal government regarding the swampland on Perth Airport. There is a window of opportunity to take advantage of the state and federal Labor governments' claim to work cooperatively, to coordinate conservation efforts on Perth airport land.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Steve Gates', with a stylized flourish at the end.

Steve Gates
President/Chair, NRPG