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**Nature Reserves Preservation Group
of Kalamunda, Inc.**

22 Sep 2023

TO: The Western Australian Planning Commission policy@dplh.wa.gov.au

SUBJECT: Submission: Draft Operational Policy 2.3: Planning for Public Open Space

The Nature Reserves Preservation Group of Kalamunda (NRPG) is a non-profit community organisation which has worked for over 30 years to preserve the natural areas in Kalamunda and surrounding areas, which we recognize are incredibly biodiverse and globally unique.

We also advocate for liveable neighbourhoods, including sufficient green space and public open spaces (POS) for passive and active recreation, providing a connection to nature, and reducing exposure to localised air pollution and noise from combustion vehicles, all of which are vital to human physical and mental health. (**Ref 1**)

In the face of our warming and drying climate in southwest W Australia, green POS also provides mitigation and respite from the well-documented 'heat island' effect (caused by extensive clearing and hard surfaces such as asphalt, concrete/masonry and steel), by providing cooling from shading and transpiration from trees, understory plants and green ground cover. Mitigating heat island effect also has significant benefits for reducing the cost of airconditioning in Summer.

The Perth metropolitan area has already lost much of its greenbelts and potential wildlife and passive recreation corridors, so the preservation of green POS is vital, particularly that with natural vegetation and or waterways/bodies, for the wellbeing of our native animals and birds.

NRPG Comments:

The NRPG recognizes that duplication of points made by submissions from multiple organisations, may not be productive, and therefore this submission states that the NRPG Inc supports the Submission made by the Urban Bushland Council of WA, (**Attachment 1**).

NRPG makes the following additional comments:

- Question 12:
NRPG opposes the exchange of 'cash-in-lieu' of providing POS, because this ultimately results in a net loss of this important space, and should only be used where equivalent (or greater) area, as well as quality of natural areas (as applicable) of POS is purchased within the same development, ensuring that all dwellings are within 300m of it. (**Ref 3**)
- Question 15:
For human and wildlife health, light pollution should be minimized in POS by all of the following:

- a. Prevent light 'spillage' from adjacent areas.
- b. Use LEDs which can be turned on/off and dimmed automatically by time of day and/or by motion-sensing, to minimize disruption to human sleep cycles and native animal activities. (**Ref 2**)
- c. Place lighting at low level such as with bollard-type, rather than high up on poles or buildings.

Sincerely,

Steve Gates
 President, Nature Reserves Preservation Group Inc.
 0400-870-887

Ref 1:

"The effects of Physical and Social Environments on the Health and Wellbeing of Children and Young People", Prepared for the W.A Commissioner for Children and Young People by Dr Carmen Lawrence, June 2019

https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwif7pLx0bOBAXUzUGwGHTj4ChkQFnoECBEQAQ&url=https%3A%2F%2Fwww.ccp.wa.gov.au%2Fmedia%2F3913%2Freport-the-effects-of-physical-and-social-environments-on-the-health-and-wellbeing-of-children-and-young-people.pdf&usq=AOvVaw0zqLfAOxRk_j8l4nCxWfD2&opi=89978449

Ref 2:

"National Light Pollution Guidelines for Wildlife 2023 Department of Climate Change, Energy, the Environment, and Water"

<https://www.dcceew.gov.au/environment/biodiversity/publications/national-light-pollution-guidelines-wildlife>

Ref 3:

The 3-30-300 rule for urban forestry and greener cities developed by Cecil Konijnendijk of the Nature Based Solutions Institute ([https://static1.squarespace.com/3-30-300 Rule 7-29-21.pdf](https://static1.squarespace.com/3-30-300+Rule+7-29-21.pdf))

Attachment 1:



UBC Submission – Draft Planning for Public Open Space Operational Policy Consultation

Question 6. Do you (or your organisation) think there are adequate and convenient parks for recreation and local amenity in your suburb?

o No

If applicable, please comment on what is lacking in terms of adequacy of parks, adequacy of park facilities or accessibility to those parks.

- POS varies across the city. Currently, some suburbs have adequate parks, facilities and accessibility to those parks, while other suburbs do not. In the future, existing park space and facilities will likely be inadequate if population density increases – particularly without careful and strategic planning.
- New developments should be limited to land that has previously been developed, ideally only 'brownfield' sites. Land that is designated a public or environmental reserve, e.g., a

Class 'A' conservation area, a Bush Forever site and their linkages, etc. should be protected from development.

- The adequacy of parks should be held to a higher standard with an increase in vegetation and habitat in urban areas. As the Naturelink Perth (<https://www.naturelinkperth.org/>) initiative shows, reserves are not enough to conserve biodiversity. Ecological linkages and connectivity for most local plant and animal species in urban areas is poor. Literature reviews demonstrated the significant distances in the dispersal abilities of Australian plants and animals, with a reported average distance of 100 metres. Without intervention, biodiversity in the Perth and Peel region will be reduced in favour of species that can move a greater distance.
- Urbanisation makes us susceptible to the Urban Heat Island Affect (a localised rise in ambient, outdoor temperature due to dark materials like roads, roofs and carparks absorbing and storing heat during the day and releasing this heat at night). Parks that have an abundance of trees/vegetation will provide shade and cooling in our suburbs. Loss of large trees and green space is a serious issue in Perth, particularly in new suburbs and for new infrastructure where there is wholesale clearing of land for development and residential design codes do not provide adequate provision for deep root zones and uncovered areas (for trees and vegetation). POS should include space for trees and vegetation – preferably local, native species of plants.

Question 7. Public open space (POS) is important for recreation, health, education, local amenity and quality of life.

Do you agree with maintaining the existing minimum contribution requirement of 10 per cent POS land as a general standard for all suburbs? (10 per cent is a proportion of the gross subdivisible area, generally applied to residential type zones)

o Yes

Do you have any other comments on this approach?

- Public open space is vital for a healthy community and to protect the natural environment.
- UBC supports Department of Local Government, Sport and Cultural Industries' (DLGSC's) Public open space strategy guide for local governments.
<https://www.dlgsc.wa.gov.au/sport-and-recreation/facility-management/public-open-space/public-open-space-strategy-guide-for-local-governments>
- Perth is one of the most biodiverse cities in the world. It is part of the global biodiversity hotspot of the southwest of WA - due in part because over 70-80% of the area has been cleared of native vegetation. Compared to other cities worldwide, there is still an opportunity in Perth to protect our unique flora and fauna, such as the banksia and tuart woodlands, and the many plants and animals living here. Hence there are many areas, particularly in new suburbs where we should be striving to include more than 10 % POS – that protects and enhances our remaining bushlands. This would help achieve the Policy Objective 4.b - Encourage decision making that improves the community's "health" and "environmental needs". 10% POS was the recommendation made 68 years ago – *1955 Plan for the Metropolitan Region Perth and Fremantle (the Stephenson-Hepburn Plan)*, so is arguably outdated in a community now facing challenges from drastic climate change.
- UBC supports the 3-30-300 rule for urban forestry and greener cities developed by Cecil Konijnendijk of the Nature Based Solutions Institute ([https://static1.squarespace.com/3-30-300 Rule 7-29-21.pdf](https://static1.squarespace.com/3-30-300+Rule+7-29-21.pdf)):
 - o every citizen should be able to see at least three trees (of a decent size) from their home,
 - o neighbourhoods should have a minimum of 30% tree canopy, and
 - o all homes should be within 300 metres of a public green space. This rule, in part, should be used to determine the adequacy of a suburb's parks.
- UBC is concerned that not enough emphasis is being placed on protecting and enhancing the remaining green space and nature reserves in urban settings, including the wildlife that depends on it. The WA Government's 'Liveable Neighbourhoods'

https://www.wa.gov.au/system/files/2021-05/FUT-LiveableNeighbourhoods_2015.pdf) states that 'A balance between native vegetation retention and provision of urban water management is advocated through the provision of functional POS for sport, nature and recreation.' However, we have completely lost the balance with respect to conserving nature. We must find a way to restore the balance. As the population grows (if we do not have policies in place to limit growth), then there will be increasing demand on the few remaining greenspaces – including urban bushlands and wetlands. We must create a strategic plan for development for the Perth region to save these places. This will mean that we can no longer clear bushland to create a sports oval – arguably because it will be immensely more beneficial to everyone's health and well-being to retaining that bushland and all the ecosystem services it provides (such as passive recreation, reducing noise and stress, cooling the city, etc.)

Question 8. Do you think it is reasonable for all subdividers of residential lots (blocks of land) that create new additional lots to contribute towards public open space (parks or park facilities) regardless of their location? (Fact bank) Notes:

This contribution can either be by land for new public open space (parks) or by cash to be spent on upgrading existing parks and can depend on what is practical, as guided by the local government.

Two lot subdivision applications cannot contribute as cash due to restrictions in law and contributions of land is typically not practical. These subdivisions therefore do not usually contribute to public open space.

o Yes

Do you have any other comments?

- **With all development, especially infill development where existing POS is already below 10% and no new land is available for POS, contributions to help to improve existing facilities, or create more facilities within the area or adjacent areas that the residents are likely to utilise is supported.**
- **It may be possible to create POS in a development with limited space, e.g., such as adding a community meeting space.**
- **Contributions could also be made to enhance green space or nature reserves and parks, and/or improving access by providing funds for pathways; providing funding for weeding or planting programs or restricting access with fencing for environmental protection of sensitive areas.**
- **Cumulative contributions, from many small development applications such as the subdivision of a lot, could add up to be a significant amount in an infill area.**
- **Contributions could also be used to buy-back developed land to make 'pocket parks' in a neighbourhood. Creating new green space is vital with infill development given that residential design codes do not allow for adequate space on private land for trees and vegetation (essentially up to 99% of a lot can be 'paved') - negatively impacting the community and wildlife.**

Question 9. Non-residential (e.g. commercial, tourism, industrial) and rural living land uses can also be required to contribute towards POS (not necessarily at a 10 per cent rate), only on an as-needed basis where justified, and when outlined in a publicly available planning document. Are you in favour of this approach?

o Yes

Do you have any other comments on this approach?

- **UBC supports a POS contribution from non-residential land uses (includes commercial, industrial or tourism) or for rural living land uses (includes rural residential) for the purposes of catering for residents, worker and/or visitor needs, general amenity or site specific requirements.**
- **UBC supports a strategic analysis approach to calculate the amount of POS contribution. This must include analysing the cumulative impacts of development and increases in population density.**

- The Strategic Assessment of the Perth and Peel Region should be revived, updated and completed to create a considerate and sustainable plan for development in Perth.
- The strategies for development and POS must include the option of limiting growth when necessary, which should include setting targets for unacceptable impacts on the community and the environment, like losing a Bush Forever Site.

Question 10. Many established suburbs (infill areas) already contain parks that meet some of the existing community's needs.

For this reason, it is proposed to enable POS contributions to be reduced to a minimum of 5 per cent (5%) of the residential subdivision area in infill (established) areas unless varied in a local government planning strategy or alike. It is envisaged that this contribution would commonly be in the form of cash to be spent on upgrades to existing POS, as determined by the local government.

Are you in favour of this approach?

o No

Do you have any other comments on this approach?

- As the population increases there will be increasing competing demands on the already limited park and green space – often to the detriment of our wildlife.
- POS contributions should be the equivalent of a minimum of 10%.
- More resources for managing the environment, reserves and parkland are needed, as this is generally severely underfunded at all levels of government. That is why there are so many 'Friends of Groups' that have volunteers contributing tens-of-thousands of hours per annum to help care for local reserves and parks. Plus, people are volunteering less these days, and that trend is likely to continue.
- Public Open Space must be in addition to existing conservation areas and ecological linkages. POS can be made adjacent to these critical areas such as Foreshore Reserves or Bush Forever Sites. This should also apply to local conservation reserves managed by Local Government Authorities, "Friends of Groups" and others. POS should provide ecological linkages/greenways critical for the ecological health of conservation areas.
- UBC supports the WA Government's initiative for better urban forest planning in the Perth and Peel Regions [Better urban forest planning - Perth and Peel \(www.wa.gov.au\)](http://www.wa.gov.au)
- POS can include areas for trees and urban tree canopy. Another reason NOT to reduce POS below 10% is the Australian Government's commitment to protect and conserve 30 per cent of land and 30 per cent of oceans by 2030 (30 by 30) following the COP-15 held in Montreal in December 2022. Parties to the Convention on Biological Diversity (CBD) adopted the Kunming-Montreal Global Biodiversity Framework on 19 December 2022, replacing the CBD's Strategic Plan for Biodiversity 2011-2020 and its Aichi Targets. [A New Global Biodiversity Framework: Kunming-Montreal Global Biodiversity Framework - DCCEEW](https://www.dcceew.gov.au/environment/biodiversity/international/un-convention-biological-diversity/global-biodiversity-framework)^[OBJ] HYPERLINK
"https://www.dcceew.gov.au/environment/biodiversity/international/un-convention-biological-diversity/global-biodiversity-framework"
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- UBC supports the massive grassroots movement WATCA (Western Australian Tree Canopy Advocates) and their stance calling on the State Government to commit to 30% canopy cover for Perth by the year 2040 (<https://watca.org.au/pages/perth-tree-canopy-target>). According to the guide Better Urban Forests Planning, in 2016 Perth had only 20% tree canopy coverage and it's still in decline. In 2021, *Nearmaps* ranked Perth as the most barren city in Australia, with just 22% of the population living in suburbs with more than 20% tree cover, compared to 30% in Melbourne, 44% in Sydney and 79% in Brisbane (*Western Australian Tree Canopy Advocates*; <https://watca.org.au/>).
https://www.wa.gov.au/system/files/2021-05/PRJ_Better_Urban_Forest_Planning.pdf

- **UBC feels strongly that every local government should be required to create and implement an urban forest strategy which includes having a minimum tree canopy of 30%. UBC supports WA Local Government Association's (WALGA's) Local Government Urban Forest Working Group which is currently represented by 34 Local Governments from across the state. The Working Group is helping to build the capacity of Local Government, identifying gaps and developing practical planning outcomes and tools. <https://walga.asn.au/policy-advocacy/our-policy-areas/environment/urban-forest>**

Question 11. The draft policy proposes the ability to reduce the 10 per cent (10%) POS contribution in a few other scenarios. These include some strata and community title scheme subdivisions (such as apartments and villa complexes) where publicly accessible but privately owned open space is provided; for sites comprising a mix of land uses (such as a shopping precinct); and for regional areas where justified.

Do you support the ability to vary the 10 per cent POS contributions proposed?

o No

Do you think there should be other scenarios where the 10 per cent POS contribution should be varied? Please explain.

- **The only variation should be to increase the contribution above 10%.**
- **As population density increases, we need more POS, improvement and maintenance of existing POS (as more people use it) and more effort to protect and enhance our remaining green/nature spaces. All remaining urban bushlands and wetlands should be preserved.**
- **Development in the Perth and Peel region is not being directed by an overall, robust strategic plan. Hence population densities in most suburbs are continuously being increased in the guise of 'growing the economy' – seemingly ad hoc and generally without any good justification – often coming at the expense of the health and welfare of the local community. We need a solid strategic plan for the Perth and Peel Region to maintain our healthy living standards – which translates into conservation of natural areas and well thought-out POS of high quality and quantity (ideally 10% at the minimum).**

Question 12. The draft policy proposes that POS contributions collected as monetary contributions instead of land (known as cash-in-lieu) are spent within the suburb or adjoining suburb from which it was originally collected, and ideally within a 5-year timeframe. Are you in favour of this change?

o Yes

Do you have any other comments on this approach?

- **UBC is in favour of this change including that the expenditure of cash in lieu should be publicly transparent. There should be a site on the local government's website where the plan is listed and annual progress is reported. Timelines should be realistic and most favourable for the community. There should be a penalty for delays (other than those outside of the developer's hands).**

Question 13. Currently any required cash contribution to POS in infill areas (established areas) is calculated as a percentage of the value of the land being subdivided. The contribution amount therefore varies depending upon the value of the land.

Would you support a change to the way the cash contribution amount is calculated in infill areas to a standard set fee per lot instead?

o No

Do you have any other comments on this or have a suggestion on an alternative approach to implementing POS contribution?

- **The cash contribution should be calculated using a strategic approach, giving due consideration to the amount of development in a neighbourhood, how the population and housing density will change, and hence how much POS will be needed. The calculation cannot be the same for a lot being divided into 4 units compared to a lot being divided into 100 units, etc.**
- **Land is more expensive for infill development in an established neighbourhood. However, development has a big impact on the neighbourhood, increasing its density and putting strain and more demand on its existing infrastructure and services including POS. It is likely to be more expensive to provide and maintain POS in these areas so, yes, the developer**

should be paying more. The developer may even stand to gain more profit in such areas and therefore should be putting some of that profit back into the community.

Question 14. At present, contributions towards POS can only be sought from subdivision applications. Some residential developments never proceed to subdivision or would prefer to contribute at the development stage rather than subdivision stage.

Do you support changing legislation to enable POS contributions to be sought from development applications?

Unsure

Comments:

- If the POS contributions can be sought from development application stage, it must not be final. If sought at the application stage, then there must be a provision that if the final subdivision varies from the original plan (which is often the case), then the POS obligation should reflect the final subdivision stage – otherwise POS may fall short of what is required.

Question 15. Do you have any other park design, role or management issues or suggestions relevant to planning or this planning policy?

Yes

Comments:

- Management of our current (diminishing) tree canopy requires some forward thinking. Significantly large trees are being felled for residential sub-division. We continue to be the only State without basic protections for large trees on private property. There should be no further clearing in our Perth region and biodiverse hotspots, no clearing for POS provision, and we should strive to retain 30% natural areas across the Perth-Peel Region, ALL towns, regional centres, cities and bioregions in keeping with the Australian Government's commitment to adopting a new Global Biodiversity Framework to protect and conserve 30 per cent of land and 30 per cent of oceans by 2030 (COP-15 in December 2022). <https://www.dccew.gov.au/environment/biodiversity/international/un-convention-biological-diversity/global-biodiversity-framework> This is also consistent with the WA State Native Vegetation Policy (<https://www.wa.gov.au/system/files/2022-07/Native-vegetation-policy-for-Western-Australia.pdf>) with its objectives to increase the area of native vegetation. Compared with freshly planted seedlings sometimes found in POS, mature trees are significantly more valuable as habitat (e.g., for endangered Cockatoos), cool our cities, and are also very aesthetically pleasing to our community.
- Residential design codes need fixing and must provide adequate space for trees and vegetation. Ideally a lot should include a 30% deep root zone. This will vastly improve amenity, reduce urban heat island effect, decrease runoff (and the amount and cost of related infrastructure), decrease the need and cost for air-conditioning, reconnect people with nature, provide habitat for wildlife and increase people's health and well-being. Yes, it will involve revisiting how we develop and build our homes. We must strive to create resilient, healthy and beautiful cities – and live in harmony with nature.
- Drainage and sumps must not be included in the POS calculation – when they are not providing safe recreational amenity. They should be installed and managed as part of the development costs and in line with contemporary knowledge and community expectations and health, such drains and sumps where possible should be designed and/or retrofitted and managed as living streams – as a way to enhance our ecological linkages and community wellbeing/metal health.
- Maps that clearly show the conservation reserves and POS in local government areas should be made publicly available. These maps should be easy to access and use.
- We call on the Government to remove any ambiguities around types of subdivisions and/or developments and the associated contribution required.
- In addition, UBC recommends a review of the policy in 10 years, as the current 50+ years is not reflecting changes in community expectations, nor impacts of climate change or population growth.