

1. What is the Environmental Land Use Planning Strategy?

The Environmental Land Use Planning Strategy (Strategy) is a document prepared by the City of Kalamunda Planning Department to review the status of the current local environment and develop strategic actions to outline how improved environmental outcomes can be achieved through strategic and statutory planning processes.

2. What is the goal of the Draft Strategy?

The goal of the Strategy is to compile a comprehensive report on the status of natural environmental factors that influence on the planning processes in the City and develop strategic actions to enhance and improve biodiversity and promote sustainable planning practices which are sensitive and complementary to the existing natural ecosystem. By reviewing the influencing factors in the local natural environment, ELUPS will provide guidance on how we can improve environmental outcomes through statutory or strategic planning.

3. Why has the Strategy report been prepared?

The Strategy has been prepared to support the preparation of the new consolidated Local Planning Strategy in 2019, which will provide a framework for local planning and a strategic basis for any changes to the Local Planning Scheme.

The Local Planning Strategy is broken down into different sections including:

- The Public Open Space Strategy
- Industrial Strategy
- Environmental Strategy
- Rural Strategy
- Housing Strategy
- Activity Centres
- Infrastructure and Servicing

The Strategy has been prepared in accordance with the Western Australian Planning Commission (WAPC) Local Planning Manual 2010 (the Manual). The Manual is a guide to the preparation of local planning strategies and schemes in Western Australia. A Local Planning Strategy should be reviewed and prepared by a local government every five years. This Strategy focuses on relevant environmental development considerations.

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4. What does the Strategy report say?

The Strategy report has been broken down into sections which addresses the following environmental aspects:

- Local profile
- Major projects
- Physical environment (climate, geology, soils)
- Basic Raw Materials and Minerals
- Energy Production
- Acid Sulphate Soils
- Contaminated Sites
- Bushfire Hazard
- Water
- Biodiversity
- Sustainable Urban Design
- Heritage

Each section has a brief summary of background information which then relates to a strategy and action which can be undertaken by the City to improve environmental outcomes through statutory and strategic planning.

5. How are the Strategies and Actions developed?

The strategies and actions were prepared based on feedback from the City's Asset Services, Parks and Environmental Services, Environmental Health Services and Approval Services officers. The report was also referred to an independent third party for review and recommendations to ensure it is consistent with the requirements of the Manual.

Further to advertising the public will be given opportunity to comment and make recommendations on the report which will then be considered, incorporated and presented to Council for final adoption.

6. Strategy 8.2.4 proposes to investigate the clearing of trees on private property, what does this mean?

Trees on private property are considered to be an important part of the urban forest and contribute towards many economic, environmental and social benefits.

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Research has indicated that the main areas of tree canopy loss is in urban areas on private land, given urban infill patterns, a trend towards larger houses on subdivided lots, and limited

protection of existing trees under statutory planning policies. Furthermore, studies found that where the removal of trees on private lots are unregulated, despite increased plantings in the public realm there was an overall net decrease in canopy cover due to losses for private development.

Many other local governments in the metropolitan region have already identified clearing on private property as a key issue and have taken, or are in the process of taking, steps to include provisions in their local planning scheme or adopt a local planning policy to manage the clearing of vegetation on urban, rural and industrial land.

Currently to clear vegetation over five hectares in area you are required to obtain a clearing permit for the Department of Water and Environmental Regulation (DWER). In many cases clearing of vegetation less than five hectares per year is considered exempt from requiring a clearing permit. Therefore, any smaller-scale clearing of vegetation is controlled under the Local Planning Scheme.

The City of Kalamunda Local Planning Scheme No. 3 has one main clause relating to the clearing of vegetation which states:

"Clause 5.18 Tree and Vegetation Preservation

Native vegetation shall not be damaged, destroyed or removed unless it is in accordance with relevant state legislation, acts, regulations, and guidelines. Such legislation includes the *Environmental Protection Act 1986*, the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* and other legislation as adopted from time to time."

This means that any clearing under five hectares per year can occur unmitigated because it is exempt from the requirements to apply for a permit or approval under State acts and regulations.

There are two main planning instruments that can be used to protect trees on private property:

- a) The **local planning scheme** (the Scheme) governs all planning decisions and land uses in the local government area. The Scheme is given statutory (legal) authority by the *Planning and Development Act 2005*. Local planning scheme provisions include

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criteria to identify when you may or may not be permitted to clear native vegetation as part of development, which may be supported by a local planning policy. Given a local planning scheme provision has effect under the Planning and Development Act 2005 it has greater weight in development control than a local planning policy, though they may have similar criteria.

- b) A **local planning policy** is an instrument that is given due regard when assessing development applications under the local planning scheme. Local planning policy is more discretionary and flexible which means there is less statutory weight in making determinations for development and subdivision approval.

The proposed strategic action includes an investigation of whether the community believe there is a need to address clearing of significant trees on private property and how this is implemented in the planning framework.

7. How does this relate to the Local Biodiversity Strategy 2010?

The Kalamunda Biodiversity Strategy is a report prepared in 2010 as part of the Western Australian Local Government Association's (WALGA) Perth Biodiversity program. The Biodiversity Strategy outlined the conservation considerations for the City and proposed strategies for future improved retention and enhancement of the City's natural environment. As the Biodiversity Strategy is now outdated the City of Kalamunda is currently reviewing the Biodiversity Strategy with a view of preparing an updated version.

The Biodiversity Strategy is an impressive environmental resource that contains a wealth of local information. As such, it was used as a reference document which was used to inform the preparation of the Environmental Land Use Planning Strategy.

One of the strategic actions in the Strategy is to utilise the ecological linkages identified in the Local Biodiversity Strategy 2010 by creating a 'Green Links Masterplan', which will identify opportunities to improve connectivity between parks, reserves, public open space, nature strips and private gardens.

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