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Swan River Trust (SRT) & Department of Biodiversity, Conservation and Attractions (DBCA)
Locked Bag 104
Bentley Delivery Centre 6983

Dear SRT and DBCA Officers,

Draft Swan Canning Development Control Area Management – Policy & Plans June 2022

The Urban Bushland Council WA Inc. (UBC) is pleased to present this submission in response to your invitation to address the issues of relevance to us.

Our organisation is a voluntary community association of 87 member groups (each with their own local membership from 10-165 individuals) – all of which have a common interest in the conservation of urban bushland and wetlands. UBC is an incorporated, not for profit organisation registered as a charity. <https://www.bushlandperth.org.au/>

We are the key community organisation in WA providing a public voice on **the need for retention of what remains of our urban bushland and wetlands which is also critical for a healthy and prosperous future**. We advocate to all levels of Government for natural areas protection. We do this with limited resources through the amazing efforts of our ‘Friends Groups’ and their many volunteers – from all walks of life ‘working’ to improve and maintain the health of patches of neighbourhood nature – many working in close collaboration with your department and their local council.

Our submission is in two parts with specific referenced comments at Attachment A.

1) Ecological health of Swan Derbal Yaragan Canning Dyarlgarro Beelier river system

We recognise that the plans focus on improving and extending the ecological health of the Swan Derbal Yaragan Canning Dyarlgarro Beelier river system for their intrinsic value as well as so that future generations may enjoy them sustainably.

We strongly support SRT/DBCA Development Control Area (DCA) plans to manage the Swan Derbal Yaragan Canning Dyarlgarro Beelier for this value and the need for urgency to mitigate the unavoidable impact of Climate Change.

However, we are concerned that this ‘foundation’ of ecological health is not reflected in the order of both text and elements of the Draft Policy Statement (eg refer Attachment A: 6. Policy) with recommended rearrangement to bring ENVIRONMENTAL VALUES to the top.

We strongly recommend that it is mandatory that future development proposals in the DCA must show alignment to this plan not “should show” (refer Attachment A: 2. Scope, paragraph 5). Loosely aligning to parts of the plan is insufficient if ecological health is to be improved and not compromised.

We believe there is already ample area for recreational access in the DCA and do not support additional access.

We are concerned that continued clearing of bushland combined with high density housing with less garden space and less recreational space in the Perth Metropolitan Area is putting undue pressure on the DCA to provide both the habitat required to maintain the current wildlife populations as well as recreational space.

We support the acknowledgment in this plan that the river is unfortunately in poor health but there is much we can all do and need to do to restore river health by:

- embracing the cultural significance of healthy waterways to Traditional Owners
- leaving undisturbed areas of riparian vegetation to maximise the ecosystem function
- increasing buffers by moving paths upslope
- rehabilitating the riparian area and adjacent landscape formations with local provenance species
- minimising contamination in-flow
- reducing and rehabilitating unofficial access points
- ensuring no new developments in the DCA
- ensuring no extension of active recreation in the DCA
- consolidating built infrastructure with sharing facilities a priority.
- minimising sprinkler and fertiliser use
- not allowing developments outside the DCA that will impact on the ecological health of the rivers and foreshores.

2) **Priorities for Restoring the health of the rivers & foreshores:**

Strengthening ecological linkages to protect wildlife now and for the future (this requires an urgent campaign so that the public can see river/foreshore wide action) by:

- Determining weak links.
- Increasing buffers especially around saltmarshes and migratory bird habitat.
- Hydrozoning as much area as possible with use of suitable local provenance species. This is already occurring around the river often by supporting isolated remnant trees with under-plantings to create plant islands and wildlife refuges. In some areas where no action has been taken for a long time, fringing residents think a view is their right.
- Stronger action required for selfish tree removal/ poisoning. Large signs must remain until vegetation of similar value, function and size has fully established to original height of vandalized plants. This is a community expectation and loss of faith in good governance occurs if weak action only is taken.

Providing more undisturbed habitat to immediately benefit return of wildlife and longer term filtering of nutrients reaching the river, stopping erosion which causes additional release of sediment nutrients:

- Extending riparian areas that are not accessible to the public will not be as noticeable but still provide good benefit.
- No dogs allowed off-lead on the river edge. Encourage dogs to use low ecologically functioning areas away from the river for runs.

Improving protection of Subtropical and Temperate Coastal Saltmarshes Threatened Ecological Communities (TEC)

This will ensure protection of extent and condition of this 'vulnerable TEC' that is capable of providing:

- natural habitat (eg crab spawning)
- blue carbon (high carbon sequestration rate)
- river ecosystem health including filtering of nutrients
- biodiversity and
- erosion control.

Limiting nutrients reaching the river

There have been significant improvements led and shared by collaborating organisations such as the South East Centre for Urban Landcare (<https://www.sercul.org.au/our-projects/urban-waterways-renewal-project/>), Water Corporation's 'Drainage for liveability' (<https://www.watercorporation.com.au/Our-water/Sustainability-and-innovation/Drainage-for-liveability>) LGAs eg City of Canning

(<https://www.yoursaycanning.com.au/nurdi-park>) and SRT/DBCA. These learnings should be embraced to ensure:

- ecological alternatives to present drains 'out-falling' directly into the rivers
- effective and sensitive design of living streams for drainage areas to return natural functioning vegetation for filtering and habitat
- revegetating all river edges with local sedges to filter nutrients - also acting as erosion control and thus reducing nutrient release from stored sediment.

3) Aboriginal Cultural Values of Derbal Yaragan Dyarlgarro Beelieer

Acknowledging and incorporating Whadjuk Noongar connection, values and terminology

Incorporating Whadjuk Noongar terminology is demanded by the public as they not only want to learn about the Aboriginal cultural values of the Derbal Yaragan Dyarlgarro Beelieer but it gives all people pride as we continue to improve our valuing of Aboriginal culture.

As such we would expect the draft documentation to be updated to include joint terminology especially the indigenous names for the Swan and Canning Rivers.

The cultural stories such as those told by knowledge woman, Marie Taylor, on the DBCA website for Jenalup (Point Walter/ Blackwall Reach) should be available on path signage by way of a QR code. (Note in localities such as Mosman Park, if this initiative was already in place, then locals may not have been caused so much angst by proposing a mountain bike trail there).

Consultation

We expect that there is comprehensive consultation with Traditional Owners that speak for the land and that this is made public so the community can be assured it has occurred and can learn from it.

This would also mean that LGAs would be required to seek advice on the DCA from the relevant authorities at DBCA/SRT thus avoiding wastage of time and money pursuing changes that should not be occurring.

Dual Naming of areas

Friends volunteer groups would welcome their patches to be dual named. Perhaps these groups could help with the process if DBCA is willing to teach them.

4) General Signage for the DCA

Incorporation of Bush Forever Sites and their linkages should be sign posted to:

- Educate and inform the community, developers and land managers of the significance of these areas.
- Minimise community asking for an alternative use of these areas.

Enhancing and complementing the value and respect of the remaining bushland with well-considered, sympathetically designed general informative signage is needed to communicate the value and fragility of the DCA for wildlife and river health.

5) Impacts not considered in policy/locality plans but have significant ecological harm in the DCA

Lighting

We request that the DCA policy and locality plans ensure lighting (style and timing) in and around the DCA is not having a detrimental effect on wildlife (eg insects, birds, reptiles, mammals). Often there are dual-use-paths, roads, sports fields and club facilities with ecologically damaging lighting. In particular, since insects are fundamental in the food chain, their protection in bushland is paramount.

Since January 2022 the WA State Government has a [Dark Sky Position Statement](https://www.wa.gov.au/system/files/2022-01/PS_dark_sky_astrotoursim.pdf)
https://www.wa.gov.au/system/files/2022-01/PS_dark_sky_astrotoursim.pdf

EXTRACT: Scientific studies show that light pollution and sky glow can have indirect and direct physiological and behavioural impacts on our wildlife.

Exposure to certain types of artificial light can result in changes to some animals feeding and breeding behaviour, reduced survivorship, and can attract invasive pests or predators. Preserving dark skies through application of dark sky principles and minimising light pollution can lead to positive outcomes for light sensitive wildlife and complements existing environmental protection frameworks.

Light pollution from subdivision and development proposals may impact on native or threatened species, which are protected under the *Biodiversity Conservation Act 2016* or the *Commonwealth's Environment Protection and Biodiversity Conservation Act 1999* for Matters of National Environmental Significance. Decision-makers may refer proposals to the Environmental Protection Authority (EPA), the Department of Biodiversity Conservation and Attraction (DBCAs) or the Commonwealth's Department of Agriculture, Water and the Environment (DAWE), and should refer to their National Light Pollution Guidelines for Wildlife (as amended) to mitigate potential impacts.

Insect ecologist, David Knowles has much knowledge on suitable lighting and we are sure would welcome being consulted.

Cats

Cat control is essential. Whilst we commend LGAs with good cat laws which prohibit cats from bushland, since residences are next to the bushland, cats are killing wildlife including insects, birds, lizards and geckos in backyards and in nearby natural areas both during the day and night. We recommend ring-lock fencing along residences and DCA bushland, with thick plantings obscuring entry through fencing.

Dogs off-lead

Dogs should not be allowed off-lead on the river edge. Dog owners/carers should be encouraged to use low ecologically functioning areas away from the river for exercise. LGAs require this DCA plan to determine what is permitted as they do not have the expertise to deal with strong dog lobbies. DBCAs need to articulate its science-led decisions.

When off-lead or not under control, dogs have a major impact including:

- frightening and disturbing wildlife (eg interrupting wader birds that are feeding on the river edge to build up their reserves for long migratory flights)
- clearing wildlife from areas by leaving scent
- urinating and defecating in reeds, that then washes into river adding to the nutrient load. (We also don't want dog owners adding to impact by trampling native vegetation to pick up dog poop).

Anecdotal Note: When talking to dog owners why they let their dog off lead and chase wildlife they respond that "*their dog never catches the wildlife*". They fail to understand the harm from chasing birds, interrupting foraging wading birds etc.

Although there may be fines for dog owners if their dog chases wildlife there are never rangers patrolling. At some areas, packs of dogs race into the water for a swim oblivious to wildlife. It is often dog owners who are incensed by other dog owners lack of regard for wildlife when exercising their dogs.

Fencing

Fencing has been shown to provide some of the best management protection for natural areas in the DCA, as such we recommend:

- DBCAs recognise ring-lock fencing is the most cost effective protection for bushland. In some areas more will be required and thick entwining plantings are recommended.
- DBCAs take the lead, as many LGAs lack the will or expertise to make these decisions. It causes friction in the community and it is best this decision lies with DBCAs acting on science.

- A uniform message is included in the DCA documentation that highlights the value of fencing for wildlife protection and the health of the rivers and foreshores.

6) Valuing local volunteer friends of / urban landcare / bushcare groups

UBC is concerned that at times SRT/DBCA and some LGAs are not collaborating adequately with the community volunteers working in natural areas within and/or adjoining the DCA. These volunteers put their expertise, local knowledge, heart and soul into improving the ecological benefit for nature and as such, for everyone.

We commend the government for their Guidelines for coastal development that have as a priority to consult with their Bushcare volunteers. We recommend that this be incorporated in the DCA policy and locality plans.

We also request that you ask LGAs who did make a submission for this DCA plan if and how they collaborated with their relevant local 'urban landcare' volunteers so that we can continue to improve our working together to care for natural areas.

UBC welcomes the opportunity to further discuss our submission.

Yours faithfully

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ATTACHMENT A: SPECIFIC COMMENTS IN DRAFT DCA DOCUMENTATION

PLANNING FOR LOCALITIES ALONG THE SWAN CANNING DEVELOPMENT CONTROL AREA – DRAFT POLICY March 2022

REFERENCE IN DRAFT POLICY	EXTRACT FROM DRAFT POLICY WITH RECOMMENDED ALTERATIONS IN BLUE
<p>Title Strongly recommend align with community expectations and incorporate dual naming to honour Indigenous connections to the land.</p>	<p>Title PLANNING FOR LOCALITIES ALONG THE SWAN / DERBAL YARAGAN CANNING / DYARLGARRO BEELIER DEVELOPMENT CONTROL AREA</p>
<p>1 Objective We recommend changes to clearly highlight that the natural environment and its health are the foundation of the DCA – not the ‘enhancement of amenity’.</p>	<p>Objective The objective of this policy is to ensure that land use, development and other permitted works, acts and activities in or affecting the Swan Canning development control area (DCA):</p> <ul style="list-style-type: none"> • maintain and enhance the ecological health of the Swan / Derbal Yaragan CANNING / Dyarlgarro Beelier river system • maintain Indigenous cultural significance, • achieve consistent and integrated planning, decision-making and management outcomes in relation to the river system.
<p>2 Scope <u>Para 1</u> Suggest refocussing of opening sentence with ecological health and cultural significance as the foundations.</p> <p><u>Para 5</u> We highly recommend that it is mandatory that future development proposals in the DCA must show alignment to this plan not “should have due regard”. Loosely aligning to parts of the plan is insufficient if ecological health is compromised.</p>	<p>Scope <u>Para 1</u> The Swan Canning river system is to be managed in the first instance to restore and protect its ecological value and cultural significance and then appropriate community benefit and amenity.</p> <p><u>Para 5</u> Decision-making and management authorities should must have due regard to this policy and the locality plans in relation to land use and development within or adjacent to the DCA, as well as broader strategic and statutory planning that may affect the river system.</p>
<p>3 Context Support clarity including: <i>The rivers and their foreshores have significant ecological value and perform an important floodplain function. They are an important landscape feature of scenic quality, hold cultural and heritage significance</i></p>	

	<p><i>to Whadjuk Noongar and other peoples and are a focus for tourism and recreation activities for residents and visitors to Perth.</i></p> <p><i>There is a need to ensure development within and adjacent to the rivers aligns with the strong community desire to conserve and enhance the riverine environment</i></p>	
5	<p>Policy</p> <p>Rearrange the order of the ‘policy elements’ to reflect that the ecological health of the river system is the foundation of both the conservation areas and the ‘community amenity.’</p>	<p>Policy</p> <p>Recommended reordering:</p> <p>ENVIRONMENTAL VALUES</p> <ul style="list-style-type: none"> • 5.1 Protecting the natural environment • 5.2 Protecting fringing vegetation • 5.3 Creating and maintaining foreshore reserves • 5.4 Rehabilitating the river system • 5.5 Increasing climate resilience • 5.6 Minimising dredging and channel disturbance • 5.7 Implementing responsible drainage management practices • 5.8 Applying appropriate water management practices <p>CULTURAL AND NATURAL HERITAGE</p> <ul style="list-style-type: none"> • 5.9 Conserving the cultural and natural heritage of the river system and its setting • 5.10 Dual naming <p>SOCIAL BENEFITS</p> <ul style="list-style-type: none"> • 5.11 Maintaining the river system and its setting as a community resource • 5.12 Securing public access to the river system • 5.13 Maintaining a sense of place • 5.14 Providing opportunities for water transport <p>DESIGN AND DEVELOPMENT</p> <ul style="list-style-type: none"> • 5.15 Ensuring Promoting sensitive design and built form to complement the river landscape • 5.16 Creating ecological linkages and greenways • 5.17 Activating the foreshores • 5.18 Locality Plans

<p>5.3 Rearrange order to bring conservation forward.</p> <p>5.3 Incorporate riverine – as not all parts of the DCA are ‘estuarine’.</p> <p>5.7 Update to include the current ecological restoration practices of ‘living streams’.</p> <p>5.15 DCA needs to ‘ensure’ not just ‘promote’ sensitive design.</p> <p>5:15 Design inspiration ‘must’ be drawn.</p> <p>5.16 Incorporate ‘ecological’ and reinforce the these ‘ecological linkages are ‘critical’ not just ‘important’.</p> <p>5.17 Include ‘passive’ transport.</p> <p>Purpose Reorder the text to reflect the importance of ‘environmental conservation’.</p>	<p>5.3 Creating and maintaining foreshore reserves Foreshore reserves should be set aside for conservation and recreation and conservation as they are fundamental to the function, management and access of the river system. This is a priority for the department and Swan River Trust.</p> <p>Foreshore reserves Foreshore reserves protect plant and animal communities and landforms, which form an integral part of the estuarine and riverine ecosystems and landscapes.</p> <p>5.7 Implementing responsible drainage management practices Include ‘living stream’ as recommendation for reducing nutrient contamination as well as increasing habitat</p> <p>5.15 Ensuring Promoting sensitive design and built form to complement the river landscape <u>Design</u> – built form and urban design should be responsive to the surrounding setting. Design inspiration must may be drawn from the natural, social, cultural, physical and historical and social setting of the river system.</p> <p>5.16 Creating ecological linkages and greenways Linkages are critical important:</p> <p>5.17 Activating the foreshores The foreshores provide a network of connected activity nodes, a diversity of uses and experiences and opportunities to encourage passive and active transport.</p> <p><u>Purpose</u> – the establishment of activity nodes occurs in a coordinated strategic manner with the management and use of the foreshore between activity nodes prioritizing passive recreation, environmental conservation, nature-based activities and passive recreation.</p>
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6 POLICY IMPLEMENTATION STRATEGIES

6.3
Include 'proposals'.

6.7
Include local community and local government authorities.

9 KEY WORDS

Incorporate Whadjuk Noongar names and current ecological planning and rehabilitation terminology.

POLICY IMPLEMENTATION STRATEGIES

To implement this policy the department will:

Swan River Trust

6.3 Keep the Swan River Trust informed of development, including [proposals](#) permitted works, acts and activities approved within the DCA.

Assessment of proposals

6.7 Seek appropriate advice when assessing proposals. Advice [will](#) be sought from planning authorities, referral agencies, contractors, consultants, [local community](#), [local government authorities](#) or other stakeholders and from the department's specialist branches and regional locations. Where expertise is available from within the department it will be utilised prior to seeking advice from external parties.

9. KEY WORDS

[Derbal Yaragan](#)
[Dyarlgarro Beelier](#)
[ecological linkage](#)
[living stream](#)