

Department of Planning, Lands and Heritage
regionplanningschemes@dplh.wa.gov.au

Dear Officers,

SUBMISSION ON: MRS AMENDMENT 1344/57 – MAIDA VALE URBAN PRECINCT

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.

For over 30 years the UBC continues to be the peak WA community organisation for urban bushland recognition and protection. UBC is an incorporated, not for profit organisation registered as a charity. <https://www.bushlandperth.org.au/>. We are a voluntary community association with an active membership of 88 volunteer groups (each with their own local membership from 10-165 individuals) and an additional 108 individual ‘supporter’ members – all with a common interest in conservation and protection of areas of urban bushland in WA.

UBC advocates 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.

General comments and submission

UBC is concerned that:

1. Such a significant change from RURAL to URBAN is attributed as ‘MINOR’.
The potential impact with regard to clearing of trees and shrubs alone should be assessed for its MAJOR level of impact.
2. Poorly represented vegetation communities (Forrestfield and Southern River) will be cleared and/or highly disturbed.
3. Foraging habitat as well as potential roosting and breeding habitat for the endangered Black Cockatoos will be cleared and/or highly disturbed.
4. The proposal does not deliver on the legal and/or endorsed policies, strategies and guidelines that the relevant three spheres of government are responsible for either implementing or ensuring they are implemented by the appropriate body.
These include:

INTERNATIONAL

<p>COP15 Biodiversity Conference United Nations (UN) adopted an Agreement on 19 December 2022</p>	<p>Aims:</p> <ul style="list-style-type: none"> • to protect 30% of the world’s land and oceans • to restore degraded ecosystems, and • to end extinctions by 2050. <p>188 Nations (including Australia) agreed to adopt 4 goals and 23 targets for 2030.</p>
--	--

Global Biodiversity Framework	https://www.cbd.int/article/cop15-cbd-press-release-final-19dec2022 Goals A and Targets 3 and 4 are especially relevant.
Global Biodiversity Hotspots	There are currently 36 recognized biodiversity hotspots . These are Earth’s most biologically rich—yet threatened—terrestrial regions. To qualify as a biodiversity hotspot, an area must meet two strict criteria: <ul style="list-style-type: none"> • Contain at least 1,500 species of vascular plants found nowhere else on Earth (known as "endemic" species). • Have lost at least 70 percent of its primary native vegetation. South-west, WA is one of these hotspots.

NATIONAL

Australian Government’s Nature Positive Plan 8 December 2022	Environment Minister Tanya Plibersek committed to implementing the Samuel’s Review recommendations. https://www.dcceew.gov.au/environment/epbc/epbc-act-reform .
Climate Change Bill 2022	The Bill legislates the nation's commitment to reduce greenhouse gas emissions by 43% below 2005 levels by 2030, and net zero by 2050. The legislation strengthens accountability through an annual statement by the Minister for Climate Change to Parliament, and tasks the independent Climate Change Authority to provide advice on Australia's progress towards these targets, and on what Australia's future targets should be. https://www.dcceew.gov.au/about/news/climate-change-bill-2022
Climate Change Climate Resilience and Adaption Strategies; Roles & Responsibilities	The Roles and Responsibilities for Climate Change Adaptation in Australia 2012 outlines the responsibilities of each level of Australian government to plan and implement adaptation activities. The National Climate Resilience and Adaptation Strategy 2021 – 2025 outlines how the Australian Government will fulfil its 2012 COAG Roles and Responsibilities. (Refer COAG 2012 below).
COAG 2012 Australia’s Native Vegetation Framework (Coalition of Australian Governments)	The goals of the COAG 2012 Australia’s Native Vegetation Framework which WA is a signatory: Goal 1 - Increase the national extent and connectivity of native vegetation Goal 2 - Maintain and improve the condition and function of native vegetation Goal 3 - Maximise the native vegetation benefits of ecosystem service markets Goal 4 - Build capacity to understand, value and manage native vegetation Goal 5 - Advance the engagement and inclusion of Indigenous peoples in management of native vegetation
Environment Protection and Biodiversity Conservation (EPBC) Act 1999 (including TECs, Fauna and Flora)	The <i>EPBC Act</i> protects our natural environment. It includes directories of listed threatened species and ecological communities (last updated 2022). The EPBC guidelines address both protection and restoration actions including green corridors: “efforts should be made to increase the remaining extent, condition and landscape scale connectivity (including with other surrounding native vegetation types).”

STATE

Environmental Protection Act 1986 (amended Dec 2021) Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (Clearing Regulations) as amended	Establishes the EP Authority for "the prevention, control and abatement of pollution and environmental harm, for the conservation, preservation, protection, enhancement and management of the environment..." Schedule 5: Principles for clearing native vegetation, is pertinent. Relevant EPA and DWER resources are: <ul style="list-style-type: none"> • Native vegetation clearing permits (DWER) • Statement of Environmental Principles, Factors and Objectives (October 2021) • EPA Guidance for planning and development: Protection of naturally vegetated areas in urban and peri-urban areas (December 2021)
Perth to Peel @3.5million (March 2018)	The aims of The Perth and Peel@ 3.5 million (2018) planning strategy include to: <ul style="list-style-type: none"> • “protect areas with regional conservation and landscape values” and

	<ul style="list-style-type: none"> “encourage and guide increased connectivity through an integrated green network”.
Native Vegetation Policy 2022	<p>Commits the State government to a net gain in native vegetation, through conservation and restoration of natural areas. Currently this is not happening, and WA is suffering a net LOSS of native vegetation and biodiversity.</p> <p>In implementing this policy, the State Government seeks to achieve the following native vegetation outcomes:</p> <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid green; padding: 5px; width: 30%;"> <p style="text-align: center;">Outcome 1</p> <p>Enable all sectors to contribute to a net gain and landscape-scale conservation and restoration.</p> <ul style="list-style-type: none"> <li style="text-align: center;">✓ Conserve biodiversity <li style="text-align: center;">✓ Sequester carbon <li style="text-align: center;">✓ Build the restoration economy and create jobs </div> <div style="border: 1px solid orange; padding: 5px; width: 20%;"> <p style="text-align: center;">Outcome 2</p> <p>Business certainty through regulatory clarity, efficiency and coordination.</p> </div> <div style="border: 1px solid grey; padding: 5px; width: 20%;"> <p style="text-align: center;">Outcome 3</p> <p>Strong, accessible evidence-base for policy-making, decisions and transparency.</p> </div> </div> <div style="margin-top: 10px;"> <p>See also Appendix 1: Exploring net gain and landscape-scale conservation on page 17, which includes definitions of relevant terms and explores how they will be achieved and measured for a given part of the state.</p> </div> <div style="margin-top: 10px;"> <p>Net gain: For this policy, net gain means that improvements in the extent and/or condition of native vegetation exceed the losses – at <i>landscape-scale</i>. It takes into account the sum total of stakeholder actions that influence it, whether these are regulated, voluntary or otherwise. This policy does not introduce net gain as a required outcome at the scale of individual proposals.</p> <p>Landscape-scale: A scale that permits understanding and management of ecological processes across space, jurisdiction and time, with a focus on ecological corridors, resilience, connectivity and global change (including climate change).</p> </div>
Position Statement: Dark Sky and Astrotourism January 2022, DPLH & WAPC	<p>Includes a statement about (2.4) Dark Sky and Wildlife (p.2) including the critical importance reducing light due to impacts on insects and other nocturnal fauna.</p>
Statement on Environment, Social & Governance (ESG) Outcomes in WA 2021	<p>The WA Government is committed to Western Australia achieving the Paris Agreement objective of net zero emissions by 2050. We also recognise the importance of contributing to Australia’s pursuit of the objectives of the United Nations Sustainable Development Goals (SDGs).</p>
WA Government Climate Policy 2022	<p>The Western Australian Climate Policy sets out the State Government’s plan for a climate-resilient community and a prosperous low-carbon future.</p> <p>Mentions a number of conservation strategies, including Caring for our Landscapes p.20.</p>
WA State of the Environment Report (2007)	<p>Key findings were:</p> <ul style="list-style-type: none"> Vegetation cover decreased in 64% of monitored bioregions in the South West between 1996 and 2004. (8 years) WA has 8 of the 12 Australian biodiversity hotspots and the South West is recognised as one of the world’s 36 biodiversity hotspots. “There is ongoing loss and degradation of biodiversity in WA”.

LOCAL GOVERNMENT

Climate Change Policy Position WALGA	<p>WA Local Government Association (WALGA) Climate Change Policy Position</p> <p>Local Government acknowledges:</p> <ol style="list-style-type: none"> I. <i>The science is clear: climate change is occurring and greenhouse gas emissions from human activities are the dominant cause.</i> II. <i>Climate change threatens human societies and the Earth’s ecosystems.</i> III. <i>Urgent action is required to reduce emissions, and to adapt to the impacts from climate change that are now unavoidable.</i>
---	--

	<p>IV. <i>A failure to adequately address this climate change emergency places an unacceptable burden on future generations.</i></p> <p>https://walga.asn.au/policy-advice-and-advocacy/environment/climate-change</p>
<p>Guidance for the Integration of Biodiversity Conservation into Local Planning Strategies and Schemes, WALGA</p>	<p>Produced by WA Local Government Association (WALGA), this document offers guidance and ‘best practice’ examples of approaches to biodiversity conservation in local planning strategies and local planning schemes.</p>
<p>Planning & Development Act 2005 (WA)</p>	<p>Framework for a land use planning system in the State and establishes WA Planning Commission as a body corporate to advise the Minister.</p> <p>Schedule 7 allows local planning strategies to include:</p> <p><i>‘The conservation of the natural environment of the scheme area, including the protection of natural resources, the preservation of trees, vegetation and other flora and fauna, and the maintenance of ecological processes and genetic diversity.’</i></p>
<p>Urban Forest Strategy City of Kalamunda</p>	<p>The City has developed an Urban Forest Strategy (UFS) to guide the protection, management and growth of our urban forest, over future decades. The plan sets a clear direction for the City to follow, including engagement with the community, to ensure greener neighbourhoods into the future.</p>
<p>Environmental Land Use Planning Strategy (ELUPS) – City of Kalamunda</p> <p>https://www.kalamunda.wa.gov.au/news-details/2019/07/30/new-environmental-guidelines-for-city-developments</p>	<p>The Strategy provides actions to enhance and improve biodiversity and promote sustainable planning practises which are sensitive and complementary to the existing natural environment. Actions for the future include preparing a Street Tree Masterplan and Green Links Masterplan, developing a policy for management of wetlands and waterways, reviewing the impact of bushfire clearing on biodiversity and updated environmental mapping for public viewing.</p> <p>The ELUPS identifies local environmental factors that will influence future planning in the City, and how these factors can be appropriately addressed during the assessment of development and subdivision applications.</p> <p>The ELUPS also sets out strategic actions to provide guidance on how the City can improve environmental outcomes through the statutory and strategic planning processes including tree retention. The strategic actions will also be subject to further community engagement and consultation.</p>
<p>Local Environment Strategy – City of Kalamunda</p> <p>https://www.kalamunda.wa.gov.au/our-city/environment/local-environment-strategy</p>	<p>Provides the framework to manage environmental pressures and improve sustainable practices over the next decade and beyond.</p> <p>It will assist in protecting the cherished landscape character of Kalamunda and guide improvements in the City’s own operations and its work with stakeholders and community groups.</p> <p>Four Key Themes Identified</p> <ul style="list-style-type: none"> • Green Spaces • Natural Resources • Reducing Waste • Managing Impacts 
<p>BiodiverCity – delivering environmental sustainability – City of Kalamunda</p> <p>https://www.kalamunda.wa.gov.au/news-details/2021/02/17/biodiver-city-delivering-environmental-sustainability</p>	<p>The overarching vision of the Local Biodiversity Strategy 2020-2030 is that ‘the City of Kalamunda and its community will protect, manage and value the local biodiversity to ensure lasting legacy for future generations.’</p> <p>A rigorous, State Government Endorsed process drove the development of the Strategy, including;</p> <ul style="list-style-type: none"> • Review of Local Biodiversity Strategy 2008 indicating strengths and weaknesses in delivering the actions stated. • Identification and Mapping of vegetation complexes within the City. • Prioritisation, and mapping of City Local Natural Areas based on Ecological criteria. • Identification of significant flora and fauna that occurs, or may occur within the City. • Identification and mapping of significant linkages within the City to provide corridors for the movement of flora and fauna.

<p>Climate Change Action Plan – City of Kalamunda</p> <p>https://www.kalamunda.wa.gov.au/docs/default-source/strategies-plans/ccap-2023-2025-web.pdf?sfvrsn=1cc1469_6</p>	<p>The City of Kalamunda has a vision for 2031 of connected communities, valuing nature, and creating our future together. Our guiding principle is to ensure everything we do will make the City of Kalamunda socially, environmentally, and economically sustainable. We in the City of Kalamunda have a part to play in reducing greenhouse gas emissions, as part of the urgent global effort under the Paris Agreement to keep global warming below 1.5 degrees Celsius (°C). The impacts of climate change are felt acutely at the local level, and local governments have a unique role in enhancing resilience to changing conditions while reducing greenhouse gas emissions. As a signatory of the Western Australian Local Government Association (WALGA) Climate Change Declaration the City of Kalamunda recognises that climate change is occurring, and will continue to have a significant effect on the Western Australian environment, society, and economy. The Climate Change Action Plan (CCAP) is the first step in addressing risks to our City’s environment, economy, infrastructure, community health, safety, and wellbeing.</p>
---	---

Frustratingly, this lack of ‘delivery’ on these highly regarded legal and/or endorsed instruments, policies and agreements continues to result in the clearing and/or disturbance of natural vegetation and thus the:

- diminishing of biodiversity (360 Environmental Assessment 2023*)
- diminishing/removal or foraging habit and potential roosting and breeding habitat including for the Endangered Black Cockatoos (Carnabys and Forest Red-Tail) (360 Environmental Assessment 2023*)
- diminishing habitat for other fauna including reptiles and insects (360 Environmental Assessment 2023*)
- exacerbating of climate change impacts
- reducing of the availability of positive health and wellbeing aspects of neighbourhood nature
- reducing of stepping stones / ecological linkages (360 Environmental Assessment 2023*) and
- increasing of the heat island effect.

The UBC calls on the State Government to not proceed with the MRS Amendment because of the significant and irreversible impacts on neighbourhood nature that is not only critical for our natural ecosystems, but also the health and wellbeing of the community as well as for mitigating climate impacts.

Yours sincerely

Committee Member
Urban Bushland Council WA Inc

*Ref: 360 Environmental Assessment (2023) Metropolitan Region Scheme Amendment 1344/57 – Maida Vale Urban Precinct Environmental Assessment For Western Australian Planning Commission
Assessment No: 2175

<p>Urban Bushland Council WA Inc City West Lotteries House 2 Delhi Street West Perth WA 6005 ubc@bushlandperth.org.au www.bushlandperth.org.au</p>
--