

Summary of WAPC Publications Relevant to Local Biodiversity Planning

As part of the delivery of the land use planning component of the Western Australian Natural Resource Management (NRM) program in 2011/12, the Perth Biodiversity Project was required to develop:

- Practice notes of **acceptable subdivision or structure plan development conditions** to provide for better consideration of biodiversity conservation
- Model text for improved biodiversity conservation provisions in **local planning strategies, schemes and policies**

This report provides a summary of the WAPC's publications relevant to local biodiversity planning, including guidance to assist the preparation of **local planning strategies, schemes, policies and structure plans**, as well as the formulation of appropriate **subdivision and development conditions**.

The WAPC publications summarised in this report are (in order of policy importance):

- State Planning Policy 2 *Environment and Natural Resources Policy*
- State Planning Policy 2.8 *Bushland Policy for the Perth Metropolitan Region*
- State Planning Policy 2.6 *State Coastal Planning Policy*
- State Planning Policy 2.5 *Agricultural and Rural Land Use Planning*
- Development Control Policy 3.4 *Subdivision of Rural Land*
- Model Subdivision Conditions
- Liveable Neighbourhoods
- Local Planning Manual
- Planning Bulletin No. 69 *Proposed Bush Forever Protection Areas*
- Directions Paper on the Integration of NRM into Land Use Planning
- Bush Forever Volume 1 Appendix 3 *Bush Forever Site Implementation Guidelines*
- Draft Structure Plan Preparation Guidelines

The excerpts of biodiversity aspects of WAPC publications and associated comments provide a useful resource for local government biodiversity planners – as a quick reference to planning policies, as well as justification for biodiversity conservation through local land use planning. It is anticipated that the following summary table will be updated from time to time as new or revised publications are released.

EXCERPTS FROM WAPC PUBLICATIONS	COMMENTS
<p>State Planning Policy 2 <i>Environment and Natural Resources Policy</i> (June 2003) http://planning.wa.gov.au/publications/1161.asp</p>	
<p>2. Introduction and background</p> <p>Western Australia is one of the most biologically diverse regions in the world, home to a broad range of ecological communities and species, and natural landscapes...acknowledgement of the intrinsic value of the environment, as well as an understanding of the importance of ecological processes in the production and maintenance of healthy soils, clean air and water...</p> <p>The concept of sustainability in terms of our natural environment and resources is established in the <i>State Planning Strategy</i> (1997)...This focus on sustainability reflects national agreements such as...the <i>National Strategy for the Conservation of Australia's Biological Diversity</i> (1996)...In order to meet the objectives of sustainability, there is a clear need to protect our land, air and water, vital resources that support our diverse range of flora, fauna and ecosystems, from unacceptable levels of loss or degradation. This involves the maintenance of vital ecological processes and systems on which life depends, and an understanding of how these complex systems, our natural resources, interact within Western Australia.</p> <p>4. Objectives</p> <p>The objectives of this policy are:</p> <ul style="list-style-type: none"> • to integrate environment and natural resource management with broader land use planning and decision-making; • to protect, conserve and enhance the natural environment; and • to promote and assist in the wise and sustainable use and management of natural resources. 	<p>The introductory section of SPP 2 acknowledges that biodiversity conservation is a significant issue for land use planning in Western Australia. This is recognised in the policy's objectives, which refer to the integration of NRM into land use planning, and the protection and conservation of the natural environment.</p>
<p>5.1 General measures</p> <p>Planning strategies, schemes and decision-making should:</p> <p>(iv) Protect significant natural, indigenous and cultural features, including sites and features significant as habitats and for their floral, cultural, built, archaeological, ethnographic, geological, geomorphological, visual or wilderness values.</p> <p>(vi) Recognise that certain natural resources, including biological resources, are restricted to particular areas and that these geographical areas or land types may need to be identified accordingly and appropriate provision made to protect the areas for the use of those resources.</p> <p>(x) Support conservation, protection and management of native remnant vegetation where possible, to enhance soil and land quality, water quality, biodiversity, fauna habitat, landscape, amenity values and ecosystem function.</p>	<p>The SPP 2 general policy measures provide for the identification and protection of significant natural areas in planning strategies and schemes.</p>
<p>5.2 Water resources</p> <p>Planning strategies, schemes and decision making should:</p> <p>(i) Consider mechanisms to protect, manage, conserve and enhance:</p>	<p>The SPP 2 policy measures relating to water resources provide for the protection of significant wetlands and adequate setbacks to retain vegetation near wetlands, waterways,</p>

<p>a. wetlands of importance, Ramsar wetlands and wetlands identified in any relevant <i>Environmental Protection Policy</i>...</p> <p>(iv) Ensure the provision of adequate setbacks between development and the foreshores of wetlands, waterways, estuaries and the coast, in order to maintain or improve the ecological and physical function of water bodies. Such setbacks will aim to maintain the natural drainage function, protect wildlife habitats and landscape values, lessen erosion of banks and verges, and facilitate filtration of sediment and waste associated with surface run-off from adjacent land uses, which may include retention or replacement of riparian vegetation.</p>	<p>estuaries and the coast.</p>
<p>5.5 Biodiversity</p> <p>Biodiversity describes the variability among living organisms from all sources (including terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part) and includes diversity within and between species and the diversity of ecosystems. Biological diversity underpins ecological processes essential for maintenance of marine and estuarine quality, soil fertility and clean, fresh water and air. Biodiversity is also fundamental to the quality and character of the landscape and in providing recreational opportunities, aesthetic value and cultural identity. Planning should recognise the State's biodiversity in considering changes of land use, including consideration of any future potential value, such as for medicinal purposes or as a source of genetic material.</p> <p>The protection and enhancement of biodiversity is guided by the <i>National Strategy for the Conservation of Australia's Biological Diversity</i> (1996) and the <i>National Objectives and Targets for Biodiversity Conservation 2001-05</i>. There are also a number of statutory and non-statutory mechanisms designed to protect, manage and conserve areas identified as of high State, regional or local biodiversity value for Western Australia.</p> <p>Planning strategies, schemes and decision-making should:</p> <p>(i) Consider mechanisms to protect areas of high biodiversity and/or conservation value, including:</p> <p>a. land vested in the Conservation Commission as national park, nature reserve, conservation park or other reserve, and land acquired and managed by the Department of Conservation and Land Management (CALM) pending formal reservation;</p> <p>c. land identified as a Biosphere Reserve under the UNESCO Man and Biosphere program;</p> <p>d. land containing Threatened Flora or Threatened Ecological Communities (CALM database) or that which is habitat to Threatened Fauna;</p> <p>e. regionally significant vegetation within the Swan Coastal Plain area of the Perth Metropolitan Region as identified in <i>Bush Forever</i> (2000);</p> <p>f. areas formally recognised as having significance for conservation or biodiversity values by the State Government as identified in management plans under the <i>Conservation and Land Management Act</i> (1984), the <i>Regional Forest Agreement</i> (1999), regional planning strategies, the Environmental Protection Authority (1976-1983) <i>Conservation Reserves for Western Australia as recommended by the Environmental Protection Authority [Systems 1 to 12]</i> as updated from time to time, and other relevant plans and strategies;</p> <p>g. Ramsar wetlands and wetlands recognised as habitat for migratory species;</p> <p>h. nationally significant wetlands listed in the <i>Directory of Important Wetlands in Australia</i> (2001);</p> <p>i. wetlands identified in any relevant Environmental Protection Policy (EPP), such as the Swan Coastal Plain Lakes EPP and</p>	<p>The biodiversity section of SPP 2 recognises the importance of planning for biodiversity conservation. The policy specifically refers to the National Targets for Biodiversity Conservation (which include the 10% and 30% targets for the pre-European extent of each ecological community) and various other statutory and non-statutory mechanisms that guide biodiversity conservation at the State, regional and local levels in Western Australia.</p> <p>The policy measures state that planning strategies, schemes and decision making should consider mechanisms to protect high conservation value areas; seek to avoid land use and development impacts on these areas; assist in establishing a comprehensive, adequate and representative (CAR) reserve system; establish ecological linkages; protect high conservation value areas through planning controls and conservation covenants; and support the use of management plans for high conservation value areas.</p>

<p>the South-West Agricultural Zone EPP; and</p> <p>j. areas listed on the World Heritage List.</p> <p>(ii) Seek to avoid or minimise any adverse impacts, directly or indirectly, on areas of high biodiversity or conservation value as a result of changes in land use or development.</p> <p>(iii) Assist in establishing a comprehensive, adequate and representative conservation reserve system throughout the State for flora, fauna habitat, landscapes, waterways, estuaries and wetlands.</p> <p>(iv) Safeguard and enhance linkages between terrestrial and aquatic habitats which have become isolated, including the re-establishment of habitat corridors.</p> <p>(v) Assist the return of areas of high biodiversity conservation value to the public estate or otherwise ensure the protection of high biodiversity conservation values through mechanisms including planning controls or conservation covenants.</p> <p>(vi) Support the use of management plans to protect areas of high biodiversity conservation value in the long term.</p>	
<p>State Planning Policy 2.8 Bushland Policy for the Perth Metropolitan Region (June 2010)</p> <p>http://www.planning.wa.gov.au/publications/1170.asp</p>	
<p>2.4 General policy context</p> <p>Some areas of bushland and wetlands outside Bush Forever sites may have regional values but were not identified for protection and management because of wider social and economic considerations. Rare flora, threatened ecological communities or regionally significant wetlands outside Bush Forever sites are protected through other government policies and legislation...</p> <p>The policy also supports the preparation of local bushland protection strategies by all local governments in the Perth Metropolitan Region. This will enable the identification of locally significant bushland sites for protection and management outside Bush Forever areas...</p> <p>Local bushland protection strategies, biodiversity strategies or similar, should form part of or be in the context of local or regional planning strategies and wider social and economic considerations. To assist local government, local biodiversity planning guidelines have been prepared by the Western Australian Local Government Association (2004).</p>	<p>The SPP 2.8 general policy context refers to the use of the <i>Local Government Biodiversity Planning Guidelines for the Perth Metropolitan Region</i> (Del Marco <i>et al.</i> 2004) to assist local governments with the preparation of local biodiversity strategies which identify significant local natural areas for protection and management outside Bush Forever sites. It is acknowledged that some local natural areas have regional values including rare flora, threatened ecological communities or regionally significant wetlands.</p>
<p>5.2 Local bushland (all areas of bushland outside Bush Forever areas within the Perth Metropolitan Region)</p> <p>Local government should –</p> <p>(i) seek to prepare a local bushland protection strategy which should –</p> <p>(a) be part of a wider local biodiversity strategy...</p> <p>(b) be a component of a wider local planning strategy...</p> <p>(c) be based on metropolitan-wide guidelines...</p> <p>(d) identify or establish processes to identify significant bushland sites for protection...</p>	<p>The SPP 2.8 policy measures provide for the preparation by local government of a local biodiversity strategy, based on the <i>Local Government Biodiversity Planning Guidelines for the Perth Metropolitan Region</i>, as a component of a local planning strategy which is formally considered and endorsed by Council and the WAPC. The local biodiversity strategy should identify or establish processes to identify significant bushland sites for protection, and decision-making processes and an implementation strategy to protect</p>

<p>(e) identify decision-making processes and include an implementation strategy to protect those sites...</p> <p>(f) be in consultation with affected landowners, the broader community, the WAPC and other relevant government agencies</p> <p>(g) exclude...the State reserve system...</p> <p>(h) be formally considered and endorsed by Council and the WAPC...</p> <p>(ii) ...seek to identify and protect significant bushland through other planning processes or studies...</p> <p>Proposals or decision-making should –</p> <p>(iii) have regard to the protection of significant bushland sites...</p> <p>(iv) support a general presumption against the clearing of bushland or other degrading activities for areas containing [threatened ecological communities, declared rare flora or specially protected fauna, significant lakes or wetlands, vegetation complexes where less than 10 per cent of the original extent currently remains, wetland dependent vegetation fringing creeks, rivers and estuaries]...</p> <p>(v) proactively seek to safeguard, enhance and establish ecological linkages between Bush Forever areas...</p>	<p>those sites.</p> <p>The policy also states that local government should seek to identify and protect significant bushland through other planning processes or studies, and that proposals or decision-making should have regard to the protection of significant bushland sites, support a general presumption against the clearing of areas containing special biodiversity features, and establish ecological linkages between Bush Forever areas.</p>
<p>6. Implementation</p> <p>The State Government will provide support to local governments in the preparation of strategies, schemes, policies and plans to address the issues raised in this policy...</p> <p>This does not replace the need for planning to consider native vegetation in decision-making as clearing permit exemptions apply to some planning approvals...</p> <p>Further guidance on the policy measures and requirements of this policy is proposed. These should be read in conjunction with this policy...</p>	<p>Implementation of SPP 2.8 requires further guidance and support from State Government for the preparation of local planning strategies, schemes, policies and plans. This has been delivered through the WAPC's EnviroPlanning project, and continues through WALGA's Perth Biodiversity Project.</p>
<p>Appendix 2 – Impact Assessment Criteria</p> <p>As part of the impact assessment process the decision-making body shall have particular regard to the following impact assessment criteria as a basis for determining a reasonable outcome and the acceptability of a proposal. For significant adverse impacts, the proponent shall be required to supply evidence and demonstrate to the decision-making body that a proposal or decision is consistent with the criteria.</p> <p>Site implementation considerations</p> <p>(ii) seek bushland protection outcomes early in the planning process and wider strategic outcomes, including the use of local planning strategies, structure planning and land coordination mechanisms...</p> <p>(iii) recognise the regional and strategic targets, objectives and implementation guidelines contained in Bush Forever and its related Practice Notes...</p> <p>(iv) recognise existing planning or environmental commitments or approvals...and future commitments and approvals that are made through formal planning and environmental processes in compliance with this policy...</p> <p>(v) support future development or land uses...that is compatible with this policy and bushland protection or provides for an improved environmental outcome...</p>	<p>The impact assessment criteria listed in SPP 2.8 Appendix 2 provide a useful checklist for the planning of local natural areas – including considerations for site implementation, conservation and design, and long-term protection and management.</p>

<p>Conservation and design considerations</p> <p>(ix) have regard to the conservation values of the subject site and seek to protect the core (highest) conservation values...</p> <p>(x) seek to adopt and implement any relevant bushland-sensitive design measures (with particular reference to Bush Forever Practice Notes 5 and 10), particularly –</p> <ul style="list-style-type: none"> • seek to avoid or minimise any likely adverse impacts and maximise the retention of regionally significant bushland...through best-practice planning, design and management outcomes • focus development within cleared, degraded and less intact areas of native vegetation and minimise the development footprint • seek to avoid fragmentation of the bushland area and provide for ecological linkages and stepping stones • seek to achieve a viable conservation outcome, with reference to bushland size, shape, connectivity, diversity, representation, development interface and edge effects, key threatening processes, environmental limits and the ability of the conservation area to retain biodiversity values in the long-term <p>Long-term protection and management considerations</p> <p>(xi) require long-term protection and management measures for regionally significant bushland identified through this process, which include, but are not limited to –</p> <ul style="list-style-type: none"> • a statutory conservation covenant and associated management plan • the preparation and implementation of an environmental and/or bushland management plan or similar to manage the bushland for conservation purposes, which should be linked and enforced through either the local planning scheme, a legal agreement and/or conservation covenant • a management agreement to protect and control use and development within the bushland, to be secured through a legal agreement • statutory planning controls, including conditions of approval, local planning scheme rezoning and scheme provisions, which are designed to protect and manage the bushland area • setting aside regionally significant bushland as a conservation reserve (usually free of cost) for management by a public body • land donation to an accredited nature conservation trust to enable a Federal income tax deduction at market value 	
<p>Appendix 3 – Best Practice Criteria for Rural Living Subdivision and Rural Development</p> <p>In order to facilitate private land management for conservation and secure long-term protection, this policy supports future rural-living subdivision for conservation and rural development (including a single residential building envelope), where appropriate, subject to other planning and environmental considerations. When considering rural subdivision and development the decision-making body shall have particular regard to the following best practice criteria, which apply in addition to the impact assessment criteria in Appendix 2:</p> <p>(ii) The proposal is supported by suitable site-specific long-term protection and management measures through statutory planning controls (notably local planning scheme provisions) that aim to secure an improved environmental outcome. These should include, but are not limited to, one or a combination of the following measures, subject to the circumstances of each case –</p> <p>(a) no clearing, grazing or development to be permitted outside a designated development envelope, except where it is associated with essential services or infrastructure</p> <p>(b) subdivision and development to be in accordance with an approved subdivision or development guide plan, which shall</p>	<p>Although SPP 2.8 Appendix 3 relates specifically to Bush Forever areas in Rural zones, the best practice criteria may also provide guidance to local governments for the planning of local natural areas – particularly in the preparation of local planning strategies, schemes and structure plans.</p>

<p>include the location of development envelopes within cleared or degraded areas, where possible, and one dwelling per lot</p> <p>(c) once an initial subdivision has occurred in accordance with the criteria set out in Appendix 3 of this policy, there will be a presumption against further subdivision</p> <p>(d) rural development should be consistent with local planning scheme zoning requirements, but statutory planning controls should restrict land uses and development that are likely to be incompatible with the bushland protection objectives and requirements of this policy...</p> <p>(e) a statutory conservation covenant to be placed on the title of each lot</p> <p>(f) areas being set aside as a conservation reserve and vested with an appropriate management body...</p> <p>(g) future landowner/s to be notified of the existence of regionally significant bushland and related controls and provisions</p> <p>(h) an environmental and/or bushland management plan, or similar, is prepared and implemented to manage the land for conservation purposes, which should be linked and enforced through either the local planning scheme, a legal agreement or conservation covenant</p> <p>(i) the preparation and implementation of whole-of-site management plans for areas within multiple ownerships, where possible, as a framework for more detailed management plans for individual landowners</p> <p>(j) a management agreement to protect and control use and development within the bushland, to be secured through a legal agreement</p> <p>(k) relevant bushland-sensitive design measures to be adopted (with particular reference to Bush Forever Practice Note 10) and implemented consistent with the bushland values of the site, such as the location, size and design of building envelopes, fencing, firebreaks, access ways and servicing requirements.</p> <p>(iii) Lot sizes for rural living subdivision will be considered on their merits, with an emphasis on the creation of large bush blocks, generally over 10 hectares. However, lot sizes will be dependent upon, but not limited to, consideration of the following –</p> <p>(a) the conservation values and characteristics of the site</p> <p>(b) a presumption against intensive rural-living subdivision (<i>ie.</i> lots generally below 4 hectares), except where it forms part of a planning solution designed to secure an improved environmental outcome, such as an averaging of lot sizes, the ceding of land as a conservation reserve for management by an appropriate body, the creation of some smaller lots within cleared or degraded areas combined with a larger lot for the core conservation area, and/or cluster-style rural subdivision and development; or it is in accordance with existing planning or environmental commitments or approvals</p>	
<p>State Planning Policy 2.6 State Coastal Planning Policy (June 2003)</p> <p>http://www.planning.wa.gov.au/publications/1168.asp</p>	
<p>2.3 Setbacks</p> <p>The Policy distinguishes between coastal foreshore reserves and development setbacks for physical processes. A total setback will provide for both physical processes and other factors such as ecological values and public access to be provided for in a coastal foreshore reserve.</p>	<p>The introductory section of SPP 2.6 refers to coastal foreshore reserves and development setbacks being determined in terms of physical processes as well as ecological values. One of the policy's objectives is to protect coastal</p>

<p>4. Objectives</p> <p>The objectives of this Policy are to:</p> <ul style="list-style-type: none"> • protect, conserve and enhance coastal values, particularly in areas of landscape, nature conservation, indigenous and cultural significance 	<p>values in areas of significance for nature conservation.</p>
<p>5. Policy Measures</p> <p>5.1 General Measures</p> <p>Local and regional planning strategies, structure plans, schemes, subdivisions, strata subdivision and development applications, as well as other planning decisions and instruments relating to the coast should:</p> <p>(viii) Ensure that the identification of coastal foreshore reserves takes into account consideration of ecological values, landscape, seascape, visual amenity, indigenous and cultural heritage, public access, public recreation needs and safety to lives and property</p> <p>(xii) Protect significant natural, indigenous and cultural features of the coast. These include sites and features significant as coastal habitats and for their biodiversity, cultural, built, archaeological, ethnographic, geological, geomorphological, visual or wilderness values</p> <p>5.2 Coastal Plan Requirements</p> <p>A coastal planning strategy and/or foreshore management plan should be prepared to support development proposals on the coast. The coastal planning strategy or foreshore management plan should:</p> <p>(i) take into account...ecological values...</p> <p>(ii) set out requirements for...protection of ecological systems; and protection of threatened species and ecological communities.</p>	<p>The SPP 2.6 policy measures provide for the identification of ecological values in coastal foreshore reserves, and the protection of biodiversity features along the coast.</p> <p>The policy also requires that coastal planning strategies or foreshore management plans, prepared as part of development proposals, take into account ecological values and set out requirements for the protection of ecological systems, threatened species and ecological communities.</p>
<p>State Planning Policy 2.5 Agricultural and Rural Land Use Planning (March 2002) – under review</p> <p>http://www.planning.wa.gov.au/publications/1167.asp</p>	
<p>2. Background and purpose</p> <p>Together with the need to reinforce the long-term protection and support for agriculture, this policy also responds to a number of other significant planning issues including...increasing concern for the conservation of rural landscapes, topographic features, remnant vegetation and ecosystems</p> <p>4. Policy objectives</p> <p>4. Carefully manage natural resources by –</p> <ol style="list-style-type: none"> a. discouraging development and/or subdivision that may result in land or environmental degradation b. integrating land, catchment and water resource management requirements with land use planning controls 	<p>The introductory section of SPP 2.5 refers to the conservation of remnant vegetation and ecosystems as significant planning issues. One of the policy's objectives is to manage natural resources by discouraging development and subdivision that may result in environmental degradation, and to integrate NRM into land use planning controls.</p>
<p>5. Policy measures</p>	<p>The SPP 2.5 policy measures provide for the identification and protection of vegetation and water-dependent ecosystems in local planning</p>

<p>5.1 Requirements for Local Government Local Planning Strategies and Policies</p> <p>(i) Local planning strategies should... (d) identify and protect key natural resources, including water and its dependent ecosystem, vegetation...</p> <p>5.3.1 General Scheme Provisions for Rural Settlement</p> <p>(ii) In areas zoned “Rural-Residential” or “Rural Smallholdings”, town planning scheme provisions should provide for</p> <p>(c) the identification of clearing, land management controls and environmental repair requirements including the retention of areas of remnant vegetation or regeneration of degraded areas...</p> <p>5.3.3 Additional Scheme Provisions for the Rural Smallholding Zone</p> <p>(i) In areas zoned “Rural Smallholdings” the following town planning scheme provisions should apply in addition to those listed in 5.3.1.(ii) –</p> <p>(a) lot sizes ranging from 4 ha to 40 ha or more depending on local conditions ** Individual local governments should determine the size depending upon local conditions and long-term environmental sustainability for conservation theme lots ...</p> <p>(d) an identifiable rural lifestyle theme (e.g. conservation lots, bush blocks...)</p> <p>5.4 Managing Natural Resources</p> <p>This policy proposes the introduction of various measures aimed at protecting natural resources in rural areas throughout the State. They include the promotion of sustainable development and prevention of land degradation including rehabilitating salt-affected land. Town planning schemes should make provisions for the protection and management of natural resources and environmental management areas identified in local planning strategies.</p> <p>5.4.2 Integration of Land Use Planning, Catchment and Water Resource Management</p> <p>(ii) Town planning schemes may specify provisions that restrict land clearing and promote revegetation in areas identified in the local planning strategy as requiring remediation from land degradation, including salinity, and that improve water quality.</p>	<p>strategies, and the retention of areas of remnant vegetation in local planning scheme provisions for rural settlement zones.</p>
<p>APPENDIX 2 – IDENTIFICATION AND PLANNING OF RURAL SETTLEMENTS</p> <p>A. Criteria for Preparation of Local Planning Strategies</p> <p>7. Landscape and conservation qualities Potential rural-residential and rural smallholdings areas must be planned in the context of the predominant landscape and conservation attributes of an area.</p> <p>9. Natural resources The location of rural-residential and rural smallholdings areas should avoid any unacceptable impacts on, or sterilisation of, natural primary resources including...areas of environmental significance.</p> <p>10. Environment Land should be selected taking account of the potential risk of land and water degradation and of the opportunities to promote environmental repair. Account should be taken of the need to retain native flora and fauna habitats, and the potential to revegetate riparian buffers along waterways, gullies, ridge lines, and water recharge areas.</p> <p>B. Criteria for Preparation of Town Planning Schemes or Amendments for Rural-Residential and Rural Smallholdings</p>	<p>The SPP 2.5 Appendix 2 criteria for preparation of local planning strategies refer to planning of rural settlement in context of areas of environmental significance; and criteria for preparation of schemes or amendments refer to the need to demonstrate that development will not lead to adverse environmental impact, sites of ecological significance will be retained, and subdivision and development will maintain environmental diversity.</p>

<p>Proposals for specific rezoning of land identified for future settlement within a local planning strategy should be accompanied by evidence demonstrating that –</p> <ol style="list-style-type: none"> 1. The development will not lead to any adverse...environmental impact. 3. Site features of heritage, cultural, scenic or ecological significance should be retained. 5. Subdivision and development should maintain and where possible enhance environmental and landscape diversity. 	
<p>Development Control Policy 3.4 <i>Subdivision of Rural Land</i> (February 2008) – under review</p> <p>http://www.planning.wa.gov.au/publications/808.asp</p>	
<p>4.8 Conservation of biodiversity and natural heritage</p> <p>Conservation lots may be created to preserve significant environmental features and remnant vegetation provided that:</p> <ol style="list-style-type: none"> (a) The vegetation has been identified and agreed as worthy of protection in an approved strategy, catchment plan, or a specific assessment carried out by an appropriate expert on behalf of the subdivider in accordance with the principles for clearing native vegetation contained in schedule 5 of the <i>Environmental Protection Act 1986</i>. (b) The Department of Environment and Conservation, National Trust of Australia (WA) or another relevant agency has provided advice endorsing the suitability of the lot for the intended purpose of retaining environmental values including the adequacy of the area if it is less than 40 ha, and has provided in-principle agreement to administer the necessary conservation covenant. (c) Generally at least 85 per cent of the area of the conservation lot has high environmental values or is covered by native or regenerated vegetation and/or wetland. (d) The proposed conservation lot has an appropriate shape having regard for the native vegetation, natural features, bush fire management, farm management and existing or proposed structures. (e) A conservation covenant in perpetuity with the Department of Environment and Conservation, the National Trust of Australia (WA) or an alternative authority acceptable to the WAPC is registered on the certificate of title and that covenant includes provisions that: <ol style="list-style-type: none"> (i) prohibit further clearing (other than for necessary land management requirements); (ii) clearly delineate a building envelope and/or building exclusion area also shown on the subdivision plan; and (iii) prohibit stocking outside any existing cleared area. (f) The remaining agricultural lot: <ol style="list-style-type: none"> (i) has sufficient area to be capable and suitable for agricultural use; and (ii) retains, where practical, native or regenerated vegetation as an integral part of sustainable farming, provided that this does not result in the division of significant vegetation in order to include a portion of that vegetation in the agricultural lot. <p>The creation of more than one conservation lot is likely to be inconsistent with the objectives of this policy. Landowners wishing to create multiple conservation lots should seek to do so through rezoning rural land for conservation themed rural-residential or rural-smallholdings with conservation covenants and building envelopes specified.</p>	<p>Clause 4.8 of DC 3.4 provides that a conservation lot may be created through the subdivision of rural land if: the vegetation has been identified as worthy of conservation; a conservation covenanting agency has provided advice endorsing the suitability of the conservation lot, generally required to be over 40 ha in size; at least 85% of the conservation lot is natural area; the conservation lot is an appropriate shape; a conservation covenant in perpetuity is to be registered on the certificate of title; the remaining agricultural lot retains some vegetation and has sufficient area to be capable/suitable for agricultural use.</p> <p>The policy states that the creation of multiple conservation lots should be pursued through rezoning of rural land for a conservation themed rural living purpose, with conservation covenants and building envelopes specified.</p>

Model Subdivision Conditions Schedule (October 2012)

<http://www.planning.wa.gov.au/6471.asp>

Part 6 – Environmental Conditions

EN1: Prior to the commencement of subdivisional works a foreshore/ environmental/ bushland/tree/wetland/wildlife protection [DELETE AS APPLICABLE] management plan for [INSERT VALUE] is to be prepared and approved to ensure the protection and management of the sites environmental assets with satisfactory arrangements being made for the implementation of the approved plan. (Department of Water) OR (Local Government) OR (Department of Environment and Conservation) [DELETE AS APPLICABLE]

EN2: Measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention that is not impacted by subdivisional works, prior to commencement of subdivisional works. (Local Government)

EN3: A revegetation plan being prepared, approved and implemented for the revegetation of [INSERT VALUE] or the area shown on the dated [INSERT VALUE] (attached) [DELETE AS APPLICABLE] with appropriate native species to the specifications of the Department of Environment and Conservation. (Department of Environment and Conservation) OR (Local Government) [DELETE AS APPLICABLE]

EN4: Measures being taken to ensure vegetation within the proposed Regional Open Space Reserve as identified in the plan dated [INSERT VALUE] (attached), is protected prior to the commencement of subdivisional works. (Local Government) OR (Department of Environment and Conservation) [DELETE AS APPLICABLE]

EN5: Measures being taken to ensure no vegetation within Bush Forever Site No. [INSERT VALUE] is removed or disturbed during subdivisional works, other than as approved in a [INSERT VALUE Management Plan or plan of subdivision], including any secondary impacts from works to provide service infrastructure and drainage to implement the approved plan of subdivision. (Department of Environment and Conservation) or (Local Government). [DELETE AS APPLICABLE]

EN6: A fence restricting [vehicle] [pedestrian] [stock] [feral animal] [DELETE AS APPLICABLE] access to [INSERT VALUE] is to be constructed: a) on the [INSERT VALUE] boundary; OR b) on the boundaries shown on the plan dated [INSERT VALUE] (attached); to protect native vegetation. (Local Government) OR (Department of Environment and Conservation) OR (Department of Water). [DELETE AS APPLICABLE]

EN10: A restrictive covenant, to the benefit of the Department of Environment and Conservation, pursuant to Section 129BA of the *Transfer of Land Act 1893* is to be placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a restriction on the use of the land to protect areas identified for conservation. Notice of this restriction is to be included on the diagram or plan of survey (deposited plan). (Department of Environment and Conservation)

The model subdivision conditions relating to the environment provide for the preparation and implementation of management plans; the identification and protection of vegetation that is not to be impacted by subdivisional works; the construction of fencing to protect native vegetation; and conservation covenants on title.

It is important to note that the successful application of condition EN2 is dependent upon the area/s of vegetation being identified in the approved structure plan or subdivision guide plan (similar to condition EN4 relating to regional open space). It cannot be expected that native vegetation worthy of retention will be appropriately identified and protected at the subdivisional works stage.

In respect of condition EN10, agreement must be reached with conservation covenanting agency prior to applying the subdivision condition.

Part 10 – Reserve Conditions

R1: A foreshore reserve: a) [INSERT VALUE] in width from the high water mark of the [INSERT VALUE], OR [DELETE AS APPLICABLE] b) in accordance with the plan dated [INSERT VALUE] (attached); as established by survey, being shown on the diagram or plan of survey (deposited plan) as a reserve for recreation/reserve for foreshore management/reserve for conservation/reserve for waterway management [DELETE / INSERT AS APPLICABLE] and vested in the Crown under Section 152 of the *Planning and Development Act 2005*, such land to be ceded free of cost and without any payment of compensation by the Crown. (Western Australian Planning Commission)

R2: The proposed reserve(s) shown on the approved plan of subdivision being shown on the diagram or plan of survey

The model subdivision conditions relating to reserves provide for the creation of reserves for foreshore, conservation, or waterway management purposes. The reserve purpose is dependent on advice from the relevant referral authority and proposed management of the reserve. The reserve type will appear on the diagram or plan of survey (deposited plan). Land may be ceded for one or more

<p>(deposited plan) as reserve(s) for [INSERT VALUE] and vested in the Crown under Section 152 of the <i>Planning and Development Act 2005</i>, such land to be ceded free of cost and without any payment of compensation by the Crown. (INSERT CLEARING AGENCY AS APPLICABLE)</p> <p>Reserves Advice</p> <p>Ra3: In regard to Condition(s) [INSERT VALUE] the location of the foreshore reserve is to be confirmed prior to ground disturbing activities on abutting land. The foreshore reserve is to be protected from disturbance during subdivisional works.</p>	<p>purpose, e.g. foreshore management, conservation or protection of the environment, or waterway management.</p>
<p>Liveable Neighbourhoods (October 2007)</p> <p>http://www.planning.wa.gov.au/publications/919.asp</p>	
<p>One of the principal aims of Liveable Neighbourhoods is ‘To ensure the avoidance of key environmental areas and the incorporation of significant cultural and environmental features of a site into the design of an area’.</p> <p>District and larger sized structure plans should show...natural features such as water courses and vegetation</p> <p>Local structure plans should show...proposed natural features to be retained</p> <p>Table 1: Application requirements checklist</p> <p>Information/detail required:</p> <ul style="list-style-type: none"> • Existing site and context analysis – includes biodiversity assets • Lot layout – includes retention of existing vegetation • Community design/lot layout – includes environmental management plans 	<p>The introductory section of the LN Policy states that one of the principal aims is to avoid key environmental areas and incorporate significant environmental features into the design of an area. This section also states that district structure plans should show natural features including vegetation, and local structure plans should show proposed natural features to be retained.</p> <p>The application requirements checklist refers to information required on biodiversity assets and vegetation retention.</p>
<p>Element 1 – Community Design</p> <p>Key differences with conventional practice</p> <p>There is greater emphasis on site-responsive design, enhancing local identity, providing an interconnected network of streets with development frontage to streets and open spaces, a wider choice of housing, together with increased residential density... Another key difference is the increased emphasis on planning for natural resource conservation and management. Protection of waterways, significant vegetation and habitat, more sustainable urban water management and incorporation of items of cultural significance are all required.</p> <p>Balancing urban and environmental sustainability outcomes</p> <p>In some cases, the green spaces may need to be narrowed, or vegetation cleared or floodplains or streams adjusted, to ensure efficient neighbourhoods, town centres or rail station urban catchments result. In other areas, the unique or special nature of the environmental attribute may mean that urban development would be highly fractured and reliant on private car journeys or public transport for day-to-day services.</p> <p>In most cases, good urban structuring can design the towns and neighbourhoods so that the green network is placed at the urban edges, rather than cutting through or dividing neighbourhoods or centres. Where urban structure seeks to capitalise on streams or water features, a more urban approach to setbacks and buffers may need to be taken, and in return, higher development densities should take advantage of the amenity.</p>	<p>LN Policy Element 1 relating to community design states that there is greater emphasis on site-responsive design, including planning for the protection of significant vegetation and habitat. However, it is recognised that in some areas the natural environment may need to be altered (e.g. vegetation cleared) in order to facilitate efficient urban design.</p> <p>The policy also has a strong focus on integrated urban water management, including the retention of natural waterways, wetlands and riparian vegetation.</p>

<p>Urban water management</p> <p>Liveable Neighbourhoods requires comprehensive incorporation of state-of-the-art urban water management processes. At the level of urban structuring, these will require establishment of parks that can accommodate urban water management measures and may include linear parks that act as integrated public open space corridors...Usually these corridors will follow valley lines and will incorporate streams, floodplains and wetlands...</p> <p>Vegetation, habitat and cultural heritage preservation</p> <p>A comprehensive site analysis will be required in conjunction with structure planning. Part of this analysis will identify areas of natural and cultural significance. Where practical, those items that are of adequate significance, or can contribute to establishment of a sense of place or identity should be retained. For items recommended for retention, a mechanism for appropriate ownership and management of the asset will be required and consideration must be given to the impact of its retention on the urban structure.</p> <p>Objectives</p> <p>To ensure the design of neighbourhoods takes into account environmental constraints...and protects areas of natural and cultural significance.</p> <p>To balance provision of a sustainable and efficient urban structure with protection and enhancement of environmental attributes.</p> <p>Requirements</p> <p>R6. The layout should enhance local identity by responding to the site context, site characteristics, setting, landmarks and views and incorporate key elements of natural and cultural significance.</p> <p>R11. The layout of streets should enable development to front all streets, urban parks and natural areas...</p> <p>R29. An integrated approach to urban water management should be achieved by...retaining and enhancing natural watercourses, wetlands and riparian vegetation...</p> <p>R32. The urban structure should achieve a balanced outcome to urban and environmental sustainability by making appropriate trade-offs to ensure that core urban areas and most public transport catchments are not compromised by extensive environmental areas, and that significant environmental attributes are not compromised by urban development.</p>	
<p>Element 3 – Lot Layout</p> <p>Lot layout to front parks and natural areas</p> <p>Streets, with lots fronting them, should edge the majority of parkland and bushland. This provides higher amenity and greater safety for both the open space users and residents...</p> <p>Requirements</p> <p>R7. Lots should be shaped and oriented to enable the dwellings built on them to be sited to...protect natural and cultural features...</p> <p>R18. ...Portions of subdivision with single dwelling lots with areas greater than 2000m²: The design of the new streets responds to...topography, vegetation, views, soils, heritage and drainage...</p> <p>R27. ...Lots should be orientated to front parkland and natural areas to enhance amenity while contributing to personal and</p>	<p>LN Policy Element 3 relating to lot layout requires that the shape and orientation of lots should respond to natural features; and there should be street frontage to bushland in order to provide greater amenity and safety to residents and open space users.</p>

<p>property security...</p>	
<p>Element 4 – Public Parkland</p> <p>...Regional open space should accommodate active and passive recreation such as major playing fields as well as conservation and environmental features. Foreshore reserves which are contributed free of cost by the owner through the subdivision process (e.g. land abutting a river, creek, lake or coast)...</p> <p>Bush Forever sites...will be dealt with in accordance with the State Planning Policy 2.8 Bushland Policy for the Perth Metropolitan Region.</p> <p>Linear open space is generally supported along valleys, rivers, creeks and regional flood paths, to retain key landform and urban water management elements...The WAPC will be guided by the local government, particularly on matters relating to the size and distribution of public open space, landscape design and park maintenance arrangements.</p> <p>Natural areas and cultural features</p> <p>There may be opportunity for natural areas and cultural features to be incorporated into neighbourhood and district parks. The WAPC will be guided by the local government that active and passive recreation needs of future residents will be adequately catered for before it will agree to the inclusion of natural or cultural features in the 10 per cent public open space contribution.</p> <p>Foreshore reserves and regional open space</p> <p>The WAPC will require provision of a foreshore reserve free of cost where subdivision abuts a watercourse, such as a river or creek, or a body of water such as a lake, or the coast, in accordance with State Planning Policy 2.6 State Coastal Planning Policy and State Planning Policy 2.9 Water Resources. The WAPC will generally not include a foreshore reserve in the 10 per cent public open space contribution.</p> <p>Key challenges in relation to parkland provision</p> <p>Liveable Neighbourhoods seeks to achieve a balance between bushland and/or vegetation retention and provision of water management features with the provision of useable (i.e. unencumbered) open space. There is clear recognition by the WAPC of the value of natural features and conservation values as an integral part of parklands appeal to the community. There needs to be a balanced approach that...avoids where practical, the separation of communities into dislocated and unconnected precincts with unusable or fenced-off parklands.</p> <p>Objectives</p> <p>To protect and conserve margins of watercourse, water bodies and wetlands and establish public foreshores along the coast and watercourses adjacent to urban development.</p> <p>To ensure the provision of adequate land to protect, and to provide public access to, river, creek, lake and ocean foreshores.</p> <p>Requirements</p> <p>R3. Public parkland should: provide a balance between conservation and active and passive recreational uses in district, neighbourhood and local open space; support legibility of the urban environment and the establishment of neighbourhood identity by incorporating natural and cultural features and landmarks...accommodate water-sensitive urban design in public parkland areas where usability for recreation purposes has not been compromised or where conservation values are</p>	<p>LN Policy Element 4 relating to public parkland states that regional open space should accommodate conservation and environmental features, and linear open space will be supported to retain waterways and key landform features.</p> <p>The policy states that there may be opportunity for natural features to be incorporated into neighbourhood and district parks, and the WAPC will be guided by the local government on active and passive recreation needs before it will agree to the inclusion of natural features in the 10% POS contribution.</p> <p>The policy also states that although the WAPC recognises the importance of incorporating natural features and conservation values into public parkland, this should not result in disconnected residential areas with unusable fenced-off parklands.</p> <p>Public Parkland Policy Requirements R4-R6 provide that the WAPC will accept a minimum of 8% POS for active and passive recreation, where the remaining 2% (or one-fifth) is allocated for restricted POS such as natural areas or wetlands. The restricted use POS may exceed 2% where a management plan is agreed by the WAPC, the local government and the subdivider.</p> <p>Public Parkland Policy Requirements R9-R11 provide that coastal foreshore reserves, waterways, and EPP/conservation category wetlands shall be ceded free of cost to the Crown in addition to the 10% POS contribution.</p> <p>Public Parkland Policy Requirement R33 provides that buffers to EPP and conservation category wetlands, and resource enhancement and multiple use wetlands, may be included in restricted use POS contribution if the area is</p>

enhanced.

R4. A minimum contribution of 10 per cent of the gross subdivisible area must be given up free of cost by the subdivider for public open space and may comprise: A minimum of eight per cent active and recreational purposes where the remaining two per cent (of the overall minimum 10 per cent, or one-fifth) comprises restricted use public open space uses as outlined in R5.

R5. The WAPC will accept a minimum of eight per cent public open space for the purpose of active and passive recreation, where the remaining two per cent (or one-fifth) is allocated for any and/or all of the following restricted use public open space types and in accordance with R29: natural areas...natural wetlands.

R6. The restricted use public open space may exceed the maximum two per cent as defined in R4 and R5, where an appropriate management plan is agreed by the WAPC in consultation with the local government and the subdivider. A public open space contribution allowance will not be given for any land identified as restricted public open space over and above the two per cent.

R8. The WAPC may accept part or all of the regional open space as part of the subdivider's 10 per cent public open space contribution, providing the WAPC and/or relevant authority is satisfied that the subject land can continue to be available for local public open space without compromising the planning objectives of the regional open space, that includes the protection of any environmental features...

R9. The WAPC will generally require the ceding of a foreshore reserve free of cost and without payment of compensation by the Crown, where a subdivision includes land abutting the coast, water body (e.g. lake), or a watercourse (e.g. a river or creek). The required width of the foreshore reserve will vary according to the nature of the coast, water body or watercourse, and the condition of its banks, shore or coastline, having regard to the foreshore's erosion and inundation potential and the environmental or landscape significance of fringing vegetation or landforms...

R10. The foreshore reserve, together with the watercourse or water body (where these form part of, or are adjacent to, the application area or are in a structure plan area), shall be ceded to the Crown free of cost and without payment of compensation by the Crown and will be in addition to the 10 per cent public open space contribution. The area of the foreshore reserve and watercourse and/or body should not be included in the gross subdivisible area on which the public open space contribution is determined.

R11. The boundary and extent of a wetland and its buffer must be determined in accordance with State Planning Policy 2.9 *Water Resources*, based on the merits of the proposal. An Environmental Protection Policy wetland, conservation category wetland, or wetland of a similar environmental value shall be ceded to the Crown free of cost and without payment of compensation by the Crown in addition to the 10 per cent public open space contribution. The area of the wetland should not be included in the gross subdivisible area on which the public open space contribution is determined.

R14. ...Local parks can include small parks, special purpose parks and squares, and be responsive to specific site requirements (e.g. tree retention, public art, significant landscape features) that add to a sense of place.

R33. The WAPC may allow for the following to be included in restricted use public open space: buffers to an Environmental Protection Policy, conservation category wetland or wetland of a similar environmental value; a resource enhancement wetland, multiple use wetland, or wetland of a similar environmental value; provided that: the area included in public open space is usable for recreational purposes; and there is agreement with local government (or other management authority), referral agencies and the WAPC on a management plan that enhances the wetland.

usable for recreational purposes.

<p>Element 5 – Urban Water Management</p> <p>Key differences from conventional practice</p> <p>There is now recognition of the importance of water as a resource and managing the quantity and quality of stormwater prior to it reaching a receiving water body (e.g. waterways, wetlands and groundwater systems). This is necessary to prevent run-off from deteriorating these water bodies and associated environments. Stormwater management objectives have now been widened to include pollution control, re-use, environmental amenity, multiple use and ecological integrity as well as flood control.</p> <p>Water sensitive urban design</p> <p>Elements of a water-sensitive urban design treatment train that can be implemented may include...minimisation of site disturbance (including cut and fill) to protect native vegetation and conserve habitat; protection and restoration of stream corridors for their environmental, recreational and cultural values...</p> <p>Application of element</p> <p>In making decisions involving urban water management and urban structuring the WAPC will have regard to advice from...the Environmental Protection Authority, the Department of Environment and Conservation and the Department of Water in respect to the application of the element, the identification of important wetlands and river systems and provisions to minimise their nutrient enrichment, and any additional environmental assessment requirements; and the local government in respect to the design, development and management of urban water management areas (i.e. open space), consideration to matters such as minimising water usage, preserving and enhancing natural wetland values and facilitating conservation of stormwater.</p> <p>The WAPC will apply this element when considering regional, district or local structure plans, planning schemes and/or scheme amendments and in determining and imposing conditions on subdivision applications. The WAPC may require information such as an urban water management strategy, drainage and nutrient management plan, wetland management plan incorporating consideration of stormwater drainage, water quality as a means of addressing the impact of development on water and environment resources.</p> <p>Requirements</p> <p>R1. Subdivision and development should have regard to an urban water management strategy that forms part of regional, district and/or local structure plans which should address...maintenance of natural urban water management networks, ground water and aquifer systems; environmental values and physical characteristics of receiving domains or watercourses...</p> <p>R4. Integration of urban water management measures should be achieved by...retaining and enhancing natural watercourses, wetlands and their riparian vegetation...retaining and enhancing natural streams and vegetation where practicable...</p> <p>R12. Where development includes or is adjacent to an existing wetland, stream or gully, the design of the urban water management systems should: include appropriate measures to maintain the natural water cycle of that system; and manage stormwater run-off to protect and enhance the environmental values and physical characteristics of the receiving environment.</p>	<p>LN Policy Element 5 relating to urban water management states that it is necessary to manage stormwater for ecological reasons, including the retention and enhancement of waterways, wetlands and riparian vegetation.</p>
<p>Element 8 – Schools</p>	<p>LN Policy Element 8 relating to schools states that the entire site should be usable, having</p>

<p>Requirements</p> <p>R19. All of the school site should be usable, having regard to the...impact of any areas of the site that may require retention of conservation areas (e.g. wetlands, flora and fauna)... If the site topography or vegetation characteristics prohibit full use of the site, the site must be enlarged to achieve the necessary usable area.</p>	<p>regard to potential conservation areas.</p>
<p>Appendix 1</p> <p>Site analysis</p> <p>...Site analysis enables...natural and cultural assets on and around the site to be taken advantage of to build positive sense of place and unique identity into the design...</p> <p>Mapping and information requirements: For context and site analysis mapping, describe and analyse (as appropriate)...site characteristics, such as landform, areas of environmental significance, Environmental Protection Policy areas, bushland, wetlands, damp lands and foreshore reserves.</p> <p>Appendix 2</p> <p>Design process for a district structure plan and consequent subdivision</p> <p>Phase 1 – Context and site analysis, to identify key opportunities and constraints presented by the site and its context. This takes into account all constraints to development such as regional open space networks, landform, topography, urban water management...</p>	<p>LN Policy Appendices 1 and 2 refer to site analyses involving the identification of natural areas that present opportunities and constraints to urban design.</p>
<p>Local Planning Manual <i>A guide to the preparation of local planning strategies and local planning schemes in Western Australia (March 2010)</i> http://www.planning.wa.gov.au/dop_pub_pdf/Local_Planning_Manual.pdf</p>	
<p>2.2 Content and scope of a strategy</p> <p>Part 1 – Strategy</p> <p>Strategic plan: This is the focus of the strategy and should generally include a diagrammatic representation (spatial plan) of strategic land uses, development, infrastructure and natural resources. Mapping should focus on the general pattern of land use (rather than specific zoning) and may include:</p> <ul style="list-style-type: none"> • natural resource management and environmental protection areas (flora/fauna, wetlands, waterways etc) • strategically significant natural resource areas (water source protection areas, raw materials, etc) 	<p>The Local Planning Manual states that the local planning strategy map should indicate areas for environmental protection areas and NRM.</p>
<p>3.2 Purposes and aims of schemes</p> <p>The aims of a scheme may include:</p> <ul style="list-style-type: none"> • supporting the conservation and appropriate use of natural resources including energy, water, land, biodiversity, landscape and basic raw materials to enhance sustainable development and sustainable management of resources • protecting the natural environment and biodiversity while ensuring appropriate development opportunities within the local government are realised 	<p>The Local Planning Manual suggests that the aims of a local planning scheme refer to the conservation and protection of biodiversity. The local planning scheme may include provision for the use of land referred to in Schedule 7 of the PD Act, including biodiversity conservation.</p> <p>The Local Planning Manual refers to the</p>

<p>3.3 Content and scope of scheme</p> <p>A local planning scheme may include provision for the improvement, development and use of land as well as any of the purposes, provisions, powers or works referred to in Schedule 7 to the PD Act, including:</p> <p><i>Preservation and conservation –</i></p> <ul style="list-style-type: none"> the conservation of the natural environment including the protection of natural resources, the preservation of flora and fauna, and the maintenance of ecological processes and genetic diversity <p>3.5.2 Reservation</p> <p>Reservation is typically applied to major areas of land either used or proposed to be used for purposes such as:</p> <ul style="list-style-type: none"> public open space (recreation, conservation, foreshore/coastal) <p>3.5.3 Zoning</p> <p>The associations between different types of development are important in the planning of all areas and this generally suggests the need for clustering and consolidation of development. Consolidation is particularly important for the efficiency and sustainability of major urban centres and for the protection of environmental resources. This may be achieved through consolidated zoning of urban areas, the zoning of land for rural and resource management purposes and the reservation of significant environmental areas.</p> <p>3.5.7 Special control areas</p> <p>Development requirements applicable within SCAs may include requirements such as setbacks (from water courses, wetlands, coast), design and materials of construction (to protect character/amenity and protect landscape) or notification of potential for impacts (a memorial or notice on title).</p> <p>In addition to any specific development requirements or assessment criteria, an SCA may also trigger particular referral requirements for all or some types of development, for example referral of rural housing in bush fire prone areas to FESA...</p> <p>Special control areas can be used to address a range of issues including:</p> <p>Landscape protection: Used in circumstances where remnant vegetation and/or landscapes of particular significance are to be protected from undue land clearance or prejudicial development, for example urban development, rural-residential subdivision, inappropriately sited rural housing, out-of-scale building development, coastal/foreshore works.</p>	<p>mechanisms of reservation, zoning and special control areas in the local planning scheme to address conservation matters.</p> <p>Special control areas may include development requirements (such as setbacks) or notification of potential impacts (a memorial or notice on title); trigger referral to State agencies for all or some types of development; and can be used to address landscape protection (e.g. where significant remnant vegetation is to be protected from clearing or development).</p>
<p>4.2.3 Reservation</p> <p>Reservation of land under the local planning scheme is generally applied where the use of the particular area is to be some form of public use, or where protection of a natural resource cannot be achieved through zoning of the land. This might include recreation and environmental protection...</p> <p>4.2.4 Special control areas</p> <p>In addition to zoning and reservation, land may also be subject to other 'special' controls based on the particular characteristics of the land or its surroundings. For example, the land may be...an area with special character or environmental constraints, in which particular design and development requirements apply.</p>	<p>The Local Planning Manual highlights that, in accordance with the Model Scheme Text, the local government is required to consider many factors in determining an application for planning approval, including the likely effect of the proposal on the natural environment and any means that are proposed to protect or mitigate impacts on the natural environment.</p>

<p>4.5.8 Consideration of applications for planning approval</p> <p>The local government is required to consider many factors in determining an application, including: the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment</p>	
<p>Appendix 5.2 Background information for local strategy</p> <ul style="list-style-type: none"> • Physical features, climate, natural heritage and natural resource management • Landform and landscape systems, for example waterways, surface and ground water catchments, wetlands, shore lines, floodplains, escarpments. • Climate and anticipated climate change, including any significant impacts associated with climate change, for example reduced rainfall, increasing temperatures, inundation of coast and foreshore, changes in agriculture/aquaculture, changes in flora/fauna, increased bush fire risk. • Significant natural environmental features, for example rare flora and fauna habitats, remnant vegetation complexes. • Biodiversity conservation. • Natural resource management (for example water, forestry, fisheries, etc). • Geological sites and natural landscape features of visual and/or cultural significance. <p>Relevance/application</p> <p>Management of development in relation to the natural environment, for example improved management of urban stormwater, land use and resource management and integrated catchment management.</p> <p>Management of coastal development and protection of coastal environmental assets (where relevant).</p> <p>Identification of opportunities to protect or enhance natural environments, for example wetlands, foreshores, coast, landscapes, remnant vegetation and fauna habitats.</p> <p>Identification of constraints on urban growth and control of subdivision and rural housing with reference to environmental impacts and the risk of bush fires.</p> <p>Management of specific activities which impact on the environment, for example industrial activities, airports, urban expansion, rural subdivision, rural housing.</p> <p>Appendix 5.3 Suggested zones for common use in local planning schemes</p> <p>Rural-residential zone</p> <p>This zone is generally intended to provide specifically for small rural lot housing, in which the predominant use and purpose is rural living rather than productive agriculture. Although small scale agriculture is generally also provided for, the limited size of holdings and the generally limited productive value of rural-residential holdings compared to their residential value militates against their use for productive farming. Rural-residential zoning may also include specific requirements by which to</p>	<p>Appendix 5.2 of the Local Planning Manual provides a list of background information for a local planning strategy, which refers to biodiversity conservation.</p> <p>Appendix 5.3 provides suggested zones for common use in local planning schemes, which states that conservation will not generally be the basis for rural-residential subdivision.</p>

<p>conserve or rehabilitate particular environmental values or characteristics, although conservation will not generally be the basis for rural-residential subdivision. Refer to DC 3.4 – Subdivision of Rural Land (clause 4.8).</p>	
<p>Planning Bulletin No. 69 Proposed Bush Forever Protection Areas (July 2004) http://www.planning.wa.gov.au/publications/754.asp</p>	
<p>5.3 Local bushland</p> <p>Bush Forever supports the preparation of local bushland protection strategies by all local governments in the Perth Metropolitan Region...</p> <p>...Endorsed local bushland protection strategies, which should consider wider social and economic considerations, may provide a robust strategic basis for the consideration of clearing permits.</p> <p>The SPP supports the proactive selection of locally significant bushland sites against consistent environmental, social and economic criteria. An implementation strategy should be an important component of any local bushland protection strategy and the implementation and planning assessment process (as outlined in the SPP) may provide an appropriate planning framework for local bushland protection measures. To provide greater certainty and consistency, the relevant council and the WAPC should also seek to formally endorse local bushland protection strategies as a basis for future decision-making, set within the context of wider local planning strategies.</p> <p>The Model Scheme Text identifies a need for local planning strategies as a basis for local planning schemes. A local bushland protection strategy, biodiversity strategy or similar, should form an important component of wider local planning, natural resource management and sustainability strategies... Local planning strategies can provide a rationale and justification for future land use zonings and policies at the local level that are aimed at the protection of locally significant bushland areas identified for protection as part of an endorsed local bushland protection strategy...</p> <p>The Western Australian Local Government Association (through support from Bush Forever, local government and the Commonwealth) has developed criteria for selection of locally significant natural areas and Local Government Biodiversity Planning Guidelines (June 2004).</p>	<p>The bulletin emphasises the importance of including the local bushland protection (or biodiversity) strategy as a component of the local planning strategy. It also specifically refers to the conservation significance criteria in the <i>Local Government Biodiversity Planning Guidelines for the Perth Metropolitan Region</i>.</p>
<p>8. Conclusion</p> <p>The approaches adopted for Bush Forever Protection Areas can be equally applied to other bushland or natural areas of significance and identified for protection as part of other local and regional strategies prepared for the Perth Metropolitan Region and other areas of significant land use change throughout the state.</p>	<p>The bulletin states that the biodiversity planning approach developed for Bush Forever can be applied to other significant natural areas in the Perth Metropolitan Region and elsewhere in WA.</p>
<p>Directions Paper on the Integration of NRM Into Land Use Planning (February 2011) http://www.planning.wa.gov.au/publications/828.asp</p>	
<p>Chapter 7: Biodiversity Conservation Through Land Use Planning (headings only)</p> <p>Biodiversity and its Conservation</p> <ul style="list-style-type: none"> Biodiversity and natural areas 	<p>Part 2 (Chapter 7) of the EnviroPlanning Directions Paper provides a comprehensive summary of legislation and policies relevant to biodiversity conservation in Western Australia, as well as guidance for the consideration of</p>

<ul style="list-style-type: none"> • Biodiversity benefits • Conservation values of Western Australia <ul style="list-style-type: none"> – South-West Australia global biodiversity hotspot – Flora and fauna of South-West Australia • Threats to biodiversity in South-West Australia <ul style="list-style-type: none"> – Land clearing in South-West Australia • Conservation planning in South-West Australia <ul style="list-style-type: none"> – Role of land use planning in biodiversity conservation <p>Biodiversity Conservation at the International and National Scales</p> <ul style="list-style-type: none"> • Convention on biological diversity • Environment Protection and Biodiversity Conservation Act 1999 <ul style="list-style-type: none"> – Strategic assessment – Bilateral agreement – Relevance to land use planning in Western Australia • Australia’s Biodiversity Conservation Strategy • National Targets for Biodiversity Conservation <p>Legislative and Policy Framework for Biodiversity Conservation in Western Australia</p> <ul style="list-style-type: none"> • Wildlife Conservation Act 1950 <ul style="list-style-type: none"> – Proposed Biodiversity Conservation Act • Conservation and Land Management Act 1984 • Environmental Protection Act 1986 <ul style="list-style-type: none"> – Environmental impact assessment – Matters affecting the effectiveness of environmental impact assessment – Environmental advice – Native vegetation protection and clearing • EPA policies on biodiversity conservation <ul style="list-style-type: none"> – Position on the protection of native vegetation in Western Australia – Guidance for the protection of native vegetation on the southern Swan Coastal Plain – Environmental offsets – Environmental guidance for planning and development – Environmental Bulletins on native vegetation in the Geraldton and Peel Regions – Implications for Environmental Protection Authority policies for land use planning – Biodiversity conservation through land use planning • State planning policies on biodiversity conservation <ul style="list-style-type: none"> – State Planning Framework Policy – Environment and Natural Resources Policy – Bushland Policy for the Perth Metropolitan Region 	<p>biodiversity at different stages of land use planning.</p>
--	---

- Limitations of State Planning Policy 2.8
- Statewide policy guidance for native vegetation protection through land use planning
- State government policies and strategies relevant to biodiversity conservation
 - State Planning Strategy
 - Network City
 - Draft Biodiversity Conservation Strategy for Western Australia
 - Urban Bushland Strategy
 - Bush Forever
- Local biodiversity conservation
- Local government biodiversity projects
 - Local Government Biodiversity Planning Guidelines
 - Local biodiversity conservation targets and criteria
 - State government agency recognition of the guidelines
 - Local government progress in biodiversity planning
- Local biodiversity strategies
 - Guidance for integrating local biodiversity into land use planning

Opportunities for biodiversity conservation through land use planning

- Regional planning for biodiversity conservation
- Local planning for biodiversity conservation
- Local planning strategies
 - Local biodiversity strategy component of local planning strategy
 - Local government progress on biodiversity in local planning strategies
- Local planning schemes
 - Reserves
 - Zones
 - Special control areas
 - General development requirements
 - Applications for planning approval
- Local planning policies
- Structure plans and subdivision
 - Structure planning
 - Natural areas in public open space
 - Subdivision design
 - Subdivision for conservation
- Conservation covenants
- The future of local biodiversity conservation through land use planning

Bush Forever Volume 1 Appendix 3 *Bush Forever Site Implementation Guidelines – Practice Notes (December 2000)*

<http://www.planning.wa.gov.au/publications/5911.asp>

Summary of Bush Forever Implementation Strategies

Negotiated Planning Solutions:

- Innovative planning solutions and negotiations involving non-statutory and statutory planning mechanisms and possibly involving a suite of other mechanisms, such as density trade-offs and land exchanges

Complementary Mechanisms:

- Legally constructed management arrangements such as covenants, possibly involving financial or other incentives
- Rural Negotiated Planning Solutions to facilitate conservation – compatible rural development and rural subdivision
- Applying various financial incentives such as local rate and State land tax incentives in association with conservation covenants and bushland protection zoning; and, improved eligibility for funding support and technical assistance
- Statutory controls – legal regulation of activities such as land clearing, local Planning Scheme zoning controls, Environmental Protection Policies (EPP) or State Planning Policies (SPP)
- Purchase and re-sale of land into private ownership with covenant
- Voluntary protection measures and motivation using information and educational incentives for value appreciation and management support

The summary of Bush Forever implementation strategies may also be relevant for the protection of significant local natural areas identified in local biodiversity strategies or other planning processes or studies.

Practice Note 2: Strategic Negotiated Planning Solutions

- Structure planning
- Coordinating the provision of essential environmental infrastructure
- Integrated open space planning at the local level
- Precinct planning for ecological communities/regionally significant bushland

Practice Note 5: Bushland-sensitive Design Criteria for Urban Development

- Threats to bushland protection from urbanisation and land use intensification
- Bushland-sensitive urban design criteria
- Greenways and corridors
- Urban clusters

Practice Note 8: Bushland Management Support, Funding Incentives and Protection Mechanisms

- Management support and advice
- Funding incentives
- Covenants
- Examples of different designs for covenants

Practice Note 9: Rural Negotiated Planning Solutions – Future Rural Subdivision for Conservation

- Rural Bushland Protection Zones or Special Control Areas

Practice Note 10: Bushland-sensitive Design Criteria for Rural Subdivision and Development

Practice Note 11: Rural Negotiated Planning Solutions – Low Impact Rural Living in a Bushland Setting

The practice notes for Bush Forever areas are a useful resource for local governments, providing guidance on a range of matters that are typically addressed in local biodiversity strategies, including urban planning and design concepts, and incentives for private land conservation.

<ul style="list-style-type: none"> • Rural living zones • Rural cluster development 	
<p>Draft Structure Plan Preparation Guidelines (August 2011)</p> <p>http://www.planning.wa.gov.au/dop_pub_pdf/structure_plan_guidelines_new.pdf</p>	
<p>3.1 Sub-regional structure plans</p> <p>These structure plans address regional issues and apply regional scale land uses and reserve classifications in accordance with, where applicable, relevant region scheme land use zones and reserves (including urban, industrial, strategic metropolitan centres and major commercial areas, regional open space (parks and recreation reserves) and environmental assets, regional roads, regional water management requirements, railway networks, public purpose sites, and special control areas for buffers and environmental assets).</p> <p>Local structure plan (diagram)</p> <p>Land uses – All land uses on the sub-regional structure plan and the district structure plan, plus all land uses and transport networks, using the relevant local planning scheme zonings and reservations, including but not limited to...local parks that perform critical functions such as drainage, conservation, ecological linkages...</p>	<p>The Structure Plan Guidelines explain the role of structure plans at different scales, including provision for the identification of areas for biodiversity conservation in sub-regional, district and local structure plans, particularly in open space.</p>
<p>6.1 District structure plan map</p> <p>The district structure plan map should show...regional open space, district open space...important beaches and water bodies</p> <p>6.2 District Structure Plan report</p> <p>1. Planning background</p> <p>...Provide a list of relevant approvals and decisions, including scheme amendments and other planning and environmental conditions attached to projects, schemes or amendments.</p> <p>2. Site conditions and environment</p> <p>2.1 Environmental assets and constraints</p> <ul style="list-style-type: none"> • Identify the vegetation present within the site (type and quality) • Identify environmental assets (including flora, Bush Forever policies, Threatened Ecological Communities, vegetation, fauna, fauna habitat, wetlands and rivers) and constraints on the site and on adjoining land • Include an aerial photograph showing the location and extent of environmental assets • Include a structure plan overlay showing the proposed structure plan over the environmental assets plan • Discuss how the identified environmental assets have been addressed by the structure plan • Include an environmental assessment and management strategy prepared by a qualified environmental consultant, and include the document as a technical appendix <p>2.2 Landform and soils</p> <ul style="list-style-type: none"> • Describe the landform and identify any major topographical features <p>2.3 Groundwater and surface water</p> <ul style="list-style-type: none"> • Describe groundwater and surface conditions of the site and adjoining land 	<p>The district structure plan map should show areas of regional and district open space, beaches and water bodies. The district structure plan report should identify vegetation type/quality and environmental assets including Bush Forever areas, wetlands, waterways, threatened flora, fauna habitat and ecological communities) and discuss how the environmental assets have been addressed by the structure plan. The report should also contain an open space plan that highlights the location and size of proposed open spaces, including those with a significant conservation or water management function.</p>

<ul style="list-style-type: none"> • Identify and major hydro-geological conditions and groundwater protection areas of the site and adjoining land • Identify wetlands and waterways including associated floodways, buffers and reserves of the site and adjoining land <p>2.4 Bushfire hazard</p> <ul style="list-style-type: none"> • If relevant, address bush fire hazard risk or assessment and emergency access assessment... <p>2.6 Coast</p> <ul style="list-style-type: none"> • If relevant, identify any coastal processes, foreshore reserves and setbacks <p>3.4 Open space</p> <ul style="list-style-type: none"> • Include an open space plan indicating the location and size of proposed regional and district open spaces and highlight open spaces that will have a significant conservation and/or water management function 	
<p>7 Local structure plans and activity centre plans</p> <p>The local structure plan map should show...foreshore reserves, regional open space, district open space, neighbourhood and local parks that perform critical secondary functions such as drainage, conservation, ecological linkages...land required for water management, important beaches and water bodies...</p> <p>7.1.2 Part One text</p> <p>6. Open space</p> <ul style="list-style-type: none"> • List all regional open spaces, foreshore reserves and public open spaces shown on the structure plan map and the area of each open space <p>7.2 Part Two – Explanatory section</p> <p>7.2.1 Local structure plan report</p> <p>2. Site conditions and environment</p> <p>(as listed above for district structure plans)</p>	<p>The Structure Plan Guidelines refer to structure plans comprising a statutory and an explanatory section. The explanatory section of the structure plan may contain a wealth of information on biodiversity conservation. However, it is important to note that only the provisions contained within the statutory section of the structure plan can be translated into conditions on subdivision and development.</p>