

City of Belmont
Local Planning Scheme No. 15
**SCHEME REPORT SUPPORTING
DOCUMENT**

ENVIRONMENT

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1. EXECUTIVE SUMMARY

The City of Belmont recognises the value of its natural environment and the importance of protecting and managing natural values for future generations.

These natural assets include the Swan River and foreshores, as well as the native species and ecosystems present in reserves and other natural areas. It also includes values such as clean air and water, landscape amenity and recreation.

As a part of the City of Belmont's actions to address these needs, the Council has incorporated consideration of the environment (Natural Belmont) into its Strategic Plan and developed and implemented an Environment Plan to guide its actions in fulfilling its Strategic objectives.

Council also recognises the important role that the City of Belmont plays in ensuring that adequate provision for key environmental issues is made in the City's planning and development policies and processes. The assessment of the Local, State and Federal legislative and policy context indicates that the Council is meeting its statutory obligations. This report examines the current statutory context and associated actions in regard to the environment and identifies the key environmental planning issues facing the City. From that basis constraints are detailed and opportunities for improvement outlined.

A number of recommendations arise from the Strategy:

- That the sustainability checklist should be applied to any consolidated or new local planning scheme.
- That the City of Belmont should work co-operatively with Westralia Airports Corporation and the Federal Government to retain, protect and manage conservation values on Perth Airport land.
- That Council seek the vesting of Lot 96 as a Local Scheme Reserve for the purpose of 'Conservation' and reclassification of Reserve 42189 from 'Public Recreation' to 'Conservation' in order to reflect the environmental importance of Signal Hill.
- That vegetation on Council reserves should be retained and enhanced.
- That the City should work with utilities such as Westrail, Main Roads, Water Corporation and Western Power to integrate consideration of wildlife corridor values into the management of infrastructure corridors where appropriate and feasible.
- That the City should undertake a study to develop feasibility and concept plans for creation of vegetation corridors (by linking significant bushland) throughout the City of Belmont.
- That consideration should be given to the development of a detailed Upgrading Strategy of the drain reserves within the proposed Mixed Business area. Such a Strategy would have to have regard for safety and security, functionality and legibility and requires further research and liaison with impacted stakeholders. It should also address which selected reserves should be vested in Council rather than the Water Corporation and what remedial works if any is required to address existing pollutants.

- That, until such time as the state government gives clear direction on the matter of environmental offsets on private land, the City should use opportunities to require native species landscaping on private developments and public streets in order to link existing natural areas.
- That the local planning scheme, associated development controls and processes should:
 - Incorporate river and catchment management objectives, priorities and actions.
 - Facilitate local industry adoption of best management practices.
 - Ensure that all activities which can potentially impact on rivers adopt best management practice standard, in accordance with 'duty of care' responsibilities and good corporate citizenship.
 - Protect foreshore vegetation and management of public access, erosion and weed control and the restoration and revegetation of areas. Access for recreational pursuits such as fishing and boating need to be managed carefully so as to avoid further disturbance and erosion.
 - Recognise the importance of the river for transport, commerce, tourism and leisure as well as its conservation values.
 - Enhance the appearance and function of existing recreation, tourism and commercial nodes and proposed nodes identified in an adopted Swan-Canning precinct plan.
 - Protect places of cultural significance.
 - Promote new riverside development appropriate to its surroundings and respectful of the unique river setting.
 - Protect and enhance river views in redevelopment projects.
 - Ensure that development complements the natural landforms and provides opportunities for public access to and enjoyment of the river.
 - Continue to encourage opportunities for implementation of water sensitive urban design in commercial and residential development.
- That the City continues to operate a Graphic Information System to provide high quality mapping data to support planning, decision-making and operations within its boundaries.
- That the City continues to ensure that the key environmental impacts associated with the Ascot Residential and Stables zone are addressed and improved through ensuring compliance with the City's Local Laws:
- That the City continues to be proactive in addressing potential impacts of road traffic. Consideration should be given to incorporating such standards into the Scheme rather than reference within Local Planning Policies.
- That the Housing Strategy be updated to quantify what standards must be put in place to ensure that optimum impacts are achieved through location close to facilities such as public transport.
- That the Scheme text should be updated to reflect the need for bicycle parking and end of trip facilities.

2. INTENT AND METHODOLOGY

The need for this Strategy has been determined by the necessity to inform the preparation of the review of the local planning scheme.

This Strategy briefly examines the National, State and Local context of influences on the planning system and some of the opportunities and restrictions on the City of Belmont arising there from. The overview does not cover all influences - only those with direct impact on planning for the City of Belmont.

The preparation and development of this Strategy has been based on the overall vision outlined in the State Planning Strategy, and is consistent with the objectives of that Strategy.

There are a number of key overarching environmental plans and strategies, projects and programs that are currently being implemented by the City of Belmont including:

- Natural Belmont in the City of Belmont Strategic Plan
- City of Belmont Environment Plan
- Environmental Enhancement Policy

Underneath these plans and strategies are many projects and initiatives including:

- Achieving Carbon Emission Reduction (ACER) Program Water Campaign
- Perth Biodiversity Project
- Riverbank Foreshore Restoration Projects
- Environmental Maintenance and Restoration Projects

The above mentioned projects and initiatives are subsidiary to the Environment Plan, which is the main strategic document directing environmental management within the City. This Scheme Supporting Document- Environment has been developed to collate and simplify those actions that relate directly to land use planning and development control.

3. PLANNING CONTEXT

In Appendix 1, relevant Commonwealth, State and Regional legislation, strategies and policies are listed according to the environmental themes they relate to and their implications for the City of Belmont.

3.1. International Context

3.1.1. *Bilateral Migratory Birds Agreements*

The Japan Australia Migratory Birds Agreement (JAMBA) and the China Australia Migratory Birds Agreement (CAMBA) are bilateral migratory bird agreements that aim to conserve migratory birds in the East Asian-Australasian Flyway.

Both agreements require the parties to protect listed migratory birds from take or trade except under limited circumstances, protect and conserve habitats, exchange information, and build cooperative relationships. The JAMBA agreement also includes specific provisions for cooperation on conservation of threatened birds.

These agreements relate to river and wetland areas within the City of Belmont that are used by migratory birds, such as the foreshore and Tomato Lake.

This is directly relevant where development proposals have the potential for direct or indirect impacts upon the habitats of threatened species. Potential impacts of this nature are addressed by Council when exercising discretion under the local planning scheme. The current Scheme requires Council to have due regard to any approved Environmental Protection Policy under the Environmental Protection Act 1986 and any environmental consideration.

3.1.2. *United Nations Framework Convention on Climate Change (Kyoto Protocol)*

The Kyoto Protocol is an international treaty designed to limit global greenhouse gas emissions. Australia signed the Kyoto Protocol in 1997, after conclusion of negotiations at the third session of the United Nations Framework Convention on Climate Change (UNFCCC). By signing the Protocol, countries agree to continue with the treaty-making process, but do not consent to be bound by the Protocol.

Article 25 of the Protocol requires ratification of 55 parties representing 55 per cent of developed country emissions in 1990 for the Protocol to enter into force as an international agreement. While Australia has decided not to ratify the Kyoto Protocol, it is committed to Australia's internationally agreed target of limiting emissions to 108% of 1990 levels between 2008 and 2012.

If the Kyoto Protocol is ratified, a significant outcome will be the establishment of an international carbon trading system. Under carbon trading, participants buy and sell carbon credits to offset their production of carbon emissions. Carbon credits represent activities that sequester specified amounts of carbon emissions, such as tree planting.

In 2005 the State and Territory Labor governments indicated support for a State led carbon trading system. Under this scenario a 'cap' would be set on greenhouse gas emissions, with the cap divided into tradable permits. This system would eventually provide links to the global carbon trading market.

On a local level, the City of Belmont is contributing towards community and Council greenhouse gas reduction goals of 0 and 20% from 1998 levels by 2010 respectively. This is being achieved through actions implemented in the Cities for Climate Protection Program.

3.2. Federal Context

3.2.1. Environmental Protection and Biodiversity Conservation Act 1999

The Environmental Protection and Biodiversity Conservation Act 1999 came into force on the 17th July 2004 for the purposes of protecting the environment, particularly matters of national environmental significance. Any development likely to have a significant impact on matters of national environmental significance is required to be referred to the Commonwealth Environment Minister for assessment. Matters of national significance include World Heritage Properties; Natural Heritage Places; Ramsar Wetlands of International Significance; threatened species and ecological communities and migratory species.

The responsibility for referring an action lies with the person proposing to undertake the development. The City would only be obliged to refer an action that the local government itself proposes to take. It is not responsible for referring the actions of other proponents however should advise proponents of the provisions of the Act.

According to the Department of Environment and Heritage, the City of Belmont is likely to contain species or species habitat of ten threatened species and a migratory species. These include:

- *Calyptorhynchus baudinii* (Baudin's Cockatoo)
- *Calyptorhynchus latirostris* (Carnaby's Black-Cockatoo)
- *Dasyurus geoffroii* (Chudich)
- *Andersonia gracilis* (Slender Andersonia)
- *Caladenia huegelii* Hopper & A.P.Brown ms.
- *Caladenia* sp. Jarrah forest (S.D. Hopper 3990)
- *Dryandra mimica* (Summer honeypot)
- *Lepidosperma rostratum* (Beaked Lepidosperma)
- *Macarthuria keigheryi* (Keighery's Mccarthuria)
- *Thelymitra stellata* (Star Sun-Orchid)
- *Haliaeetus leucogaster* (White-bellied Sea-eagle)

The City also includes a number of heritage sites flagged on the Register of the National Estate. These are:

Name	Location	Status
Forrestfield Bushland	Horrie Miller Dr Newburn via Perth Airport, WA	(Registered) Register of the National Estate
Forrestfield Bushland	Horrie Miller Dr Newburn via Perth Airport, WA	(Indicative Place) Commonwealth Heritage List
Nulsen Haven	458-464 Great Eastern Hwy Redcliffe, WA	(Registered) Register of the National Estate
Old Bristle Kilns	Grandstand Rd Ascot, WA	(Indicative Place) Register of the National Estate

3.2.2. National Local Government Biodiversity Strategy

The National Local Government Biodiversity Strategy was endorsed in 1998, with Local Government agreeing at a national level on methods of biodiversity management.

The strategy addresses the following five key issues and identifies relevant actions for each of the key issues:

- Awareness, training and education: targeted to community, industry and government
- Local government resourcing: for relevant Councils who are interested in playing a greater role in biodiversity conservation
- Regional partnerships and planning
- Legislative frameworks: encourage State Government review of legislation relating to local government involvement in biodiversity
- Information and monitoring: coordinated database to provide Council's with information on biodiversity within their boundaries.

Through its Environment Plan implementation, the City of Belmont contributes to the achievement of this Strategy by various actions identified in the 'Natural Belmont' and 'Built Environment' chapters.

3.2.3. National Greenhouse Strategy

The National Greenhouse Strategy provides the strategic framework for advancing Australia's domestic greenhouse response. This attempts to achieve Australia's target of limiting emissions to 108% of 1990 levels between 2008 and 2012.

The strategy details existing and additional measures aimed at improving our awareness and understanding of greenhouse issues, limiting the growth of emissions and enhancing greenhouse sink capacity, and developing adaptation responses.

The strategy includes the following eight modules:

- Profiling Australia's greenhouse gas emissions
- Understanding and communicating climate change and its impact
- Partnerships for greenhouse action: governments, industry and the community
- Efficient and sustainable energy use and supply
- Efficient transport and sustainable urban planning
- Greenhouse sinks and sustainable land management
- Greenhouse best practice in industrial processes and waste management
- Adaptation strategies for climate change.

The module relating to sustainable urban planning is most relevant to this Strategy, however the modules referring to sustainable land management, greenhouse best practice and adaptation strategies for climate change are also of relevance.

3.2.4. National Water Quality Monitoring Strategy

The Strategy provides a framework for water quality and monitoring for defined purposes called 'values'. The relevant values include:

- Protection of aquatic ecosystems

- Primary industries (includes aquaculture, livestock watering and irrigation)

In Western Australia, the values identified in the National Strategy are achieved through the State Water Quality Monitoring Strategy and are integrated into the State's Environmental Impact Assessment process through the provisions of the Environmental Protection Act in the setting of targets and benchmarks for discharges into the environment.

3.3. State Context

3.3.1. *Wildlife Conservation Act 1950*

Under the *Wildlife Conservation Act 1950*, the Department of Conservation and Land Management (CALM) administers the approvals required to:

- Take declared rare flora
- Take threatened fauna

CALM is also a key provider of advice to proponents and approval agencies about proposals and activities that impact on threatened ecological communities or priority listed flora and fauna.

Threatened species likely to be present in the City of Belmont are listed under Section 3.2.1 Environmental Protection and Biodiversity Conservation Act 1999.

3.3.2. *The Environmental Protection Act 1986*

The Environmental Protection Act 1986 incorporates a range of provisions and sets out the process and requirements for environmental impact assessment and licensing. The Act is aimed at protecting the environment against significant environmental impacts.

The Act provides for the establishment, functions and powers of the EPA, including Environmental Impact Assessment for proposals or strategic proposals that could, if implemented, have a significant effect on the State's environment and the development of Environmental Protection Policies (EPPs). EPPs can be established under the Act for environmental protection and to prevent, control or abate pollution or environmental harm. EPPs affect local planning and development, land use and local government works.

Local governments may refer proposals to the EPA, and also have opportunities to provide comment and, in limited circumstances, appeal the EPA's recommendations.

The City is subject to the provisions of the Swan and Canning Rivers EPP and the Swan Coastal Plain Lakes EPP. The City is also responsible for referring development applications with potentially significant environmental impacts to the EPA.

Recent amendments to the Act have also introduced provisions for the protection of native vegetation in Western Australia. Under these new laws the clearing of native vegetation, regardless of the area or number of trees, will require a permit unless clearing is for an exempt purpose. In Belmont, these provisions have limited application due to the limited areas of remaining vegetation, however, any proposed new developments that would require the removal of vegetation should take these provisions into consideration as part of the planning approvals process.

3.3.3. *The Environmental Protection (Unauthorised Discharges) Regulations 2004*

These regulations provide for a strict liability offence for the unauthorised discharge of potentially environmentally harmful materials without the need to demonstrate actual or potential environmental harm.

Any planning and development approvals that include the potential for discharges to the environment (by solid, liquid or gaseous materials) should take into account the *Environmental Protection (Unauthorised Discharges) Regulations 2004* and any relevant DEC guidance statements or other requirements.

3.3.4. *Metropolitan Water Supply Sewage and Drainage Act 1909*

Existing and future drinking water sources are protected by proclaiming Underground Water Pollution Control Areas, Water Reserves or Catchment Areas under the *Metropolitan Water Supply, Sewerage and Drainage Act 1909*.

3.3.5. *Contaminated Sites Act 2003*

The Act sets out requirements for reporting, classifying and reporting known or suspected contaminated sites. The Act is supported by the *Contaminated Sites Regulations 2006*. Under the Act the following persons are required to report any site they know or suspect to be contaminated: “an owner or occupier of the site, (and) any person who suspects that he or she caused or has contributed to the contamination”. The provisions of the Act apply equally to local governments as to any other owner.

After receiving a report of contamination or suspected contamination of a site, the DEC will investigate assign a classification to the site based on their findings. All sites classified, including local government sites, will be identified on a public database administered by the Department of Environment and Conservation.

For sites requiring remediation, the person(s) responsible for remediation may include the person causing the contamination, any person proposing to change the current land use, or the current owner of the site.

The Department of Environment and Conservation can issue investigation, clean up or hazard abatement notices.

Under the Act, the Department of Environment and Conservation has significant powers to enforce compliance with the provisions of the Act.

Certain classifications of sites will result in Memorials being registered on titles identifying their classification level and a high level of disclosure to potential owners and occupiers of any classified land. The Act requires that a local government shall not grant approval for any development on any site for which a Memorial has been registered under the Act without first consulting the DEC.

The Act requires the DEC to give written notification to any relevant public authority of any classification of a site under the Act. As such the City receives written notification of the classification of any site in the City of Belmont local government area. The City maintains a database of all classified sites for which notification has been received.

3.3.6. Swan and Canning Rivers Management Act 2006

In September 2006 the Western Australian Parliament passed the Swan and Canning Rivers Management Act 2006 and the Swan and Canning Rivers (Consequential and Transitional Provisions) Act 2006. These Acts are expected to come into effect in 2007.

The Swan River Trust Act 1988 and the Environmental Protection (Swan and Canning Rivers) Policy 1997 will be replaced by the new legislation. However, many provisions of the Swan River Trust Act 1988 have been incorporated in the new legislation and will continue to have the same effect.

The Act makes provision for:

- the protection of the Swan and Canning Rivers and associated land to ensure maintenance of ecological and community benefits and amenity;
- the establishment of a Trust with planning, protection and management functions in respect of the Swan and Canning Rivers and associated land;
- the management policies to be followed by the Trust and other persons in relation to the Swan and Canning Rivers and associated land; and
- the establishment of a Foundation with fund-raising and other functions.

The legislation will provide greater protection and more integrated management of the Swan and Canning rivers. It establishes the Swan Canning Riverpark as an icon similar to King's Park, and will bring together management of rivers and adjacent Crown land reserves. Other important aspects of the new legislation include:

- development of environmental targets, a river protection strategy and associated management programs
- more streamlined assessment of development applications
- greater opportunities for public involvement in planning and decision making
- increased community membership of the board of the Swan River Trust, and
- the option to use river protection notices to manage activities that affect the rivers.

The Swan River Trust is developing a River Protection Strategy and management programmes for the Riverpark, as required under the Act. This strategy will provide an overarching framework to guide future management actions to protect and enhance the ecological and community benefit and enmity of the Swan and Canning River System

3.3.7. The Environmental Protection (Swan and Canning Rivers) Policy 1998

The purpose of the EPP is to ensure that the values of the Swan and Canning Rivers are restored, maintained and protected by managing the activities that affect them. The policy covers the Swan and Canning Rivers and their catchment. The City of Belmont falls within this policy area. Riverplan is the implementation strategy for this policy.

Riverplan was endorsed by the Swan River Trust and Environmental Protection Authority in August 2004. The plan:

- Establishes an environmental management framework for projects and initiatives which underpin the management of the Swan and Canning Rivers.

- Proposes the need for partnership agreements and memoranda of understanding with public authorities to implement the Environmental Protection Policy.
- Identifies and provides a framework to protect environmental values such as ecosystem health, biodiversity, natural landscape, recreation, water supply, navigation fishing, aquaculture and culture.
- Proposes the need for specific and measurable environmental values and criteria to increase accountability.
- Recognises that there is already significant work being done to protect the rivers by State Government agencies, local governments, industry and community groups.
- Aims to identify and address gaps in river management.

3.3.8. State Water Quality Management Strategy

The State Water Quality Management Strategy describes the guiding principles and supporting strategies for water quality management, and sets out a process for implementation comprising nine main tasks.

The strategy aims “...to achieve sustainable use of the Nation’s water resources by protecting and enhancing their quality while maintaining economic and social development.”

3.3.9. The State Greenhouse Strategy

The strategy aims to reduce greenhouse gas emissions through a range a range of initiatives targeting industry, government and public sectors. The City of Belmont has been active in this area through its participation in the Cities for Climate Protection (CCP) program.

As apart of Milestone three of the City’s CCP commitment, the City has developed a Community Greenhouse Action Plan. Although the current Action Plan does not address Planning issues, the State Government is currently considering introducing the BASIX program, for the setting of rating systems and minimal energy efficiency standards for new homes, and RETROFIX, which sets similar provisions for point of sale assessments and retrofitting of existing homes. Given that a statewide system is currently under consideration, incorporation of planning requirements at the development stage is considered premature as such requirements may overlap, or be contrary to, proposed state controls and standards.

3.3.10. Bush Forever

Bush Forever identifies regionally significant bushland and wetlands within the Swan Coastal Plain to be retained and protected forever. The strategy sets out a number of mechanisms, including planning mechanisms, to conserve 10 per cent of the 26 original vegetation complexes within the Swan Coastal Plain of metropolitan Perth, as well as threatened ecological communities.

Bush Forever recognises the scope to use land use planning processes to protect bushland areas, while accommodating future development requirements and development that is compatible with bushland protection objectives or provides for an improved environmental outcome. These planning approaches are referred to as negotiated planning solutions and use the mechanism of Special Control Areas and apply to urban zoned lands, as well as rural zoned lands, to varying degrees. These solutions may be supported by other statutory or non-statutory mechanisms that provide advice, assistance and inimical incentives for bushland protection and management, such as conservation covenants. Bush Forever also proposes the reservation of lands of high conservation value for eventual acquisition and management by government.

To support these planning approaches, Bush Forever proposed the establishment of a special control area (referred to as a Bush Forever protection area herein) in the MRS to cover Bush Forever sites and the preparation of a complementary statement of planning policy.

There are limitations on land use activities at listed Bush Forever sites, with greater potential for conservation and rehabilitation. Bush Forever sites within the City of Belmont include:

- Site 235: Swan River Foreshore at Ascot Waters
- Site 386: Perth Airport & adjacent wetlands

In regard to the Airport site, the Bush Forever Site Implementation Guidelines details that under the Airports Act 1996, lessee companies are obliged to develop the airport for aviation and commercial uses, while protecting its environmental values. The Act requires the lessee companies to prepare a master plan and an environmental strategy to outline their approach to future development. The Environmental Strategy is seen as “*a significant environmental management mechanism in which the airport lessee must outline its intentions in relation to mitigating or managing environmental impacts in conjunction with its commercial development vision, articulated in the master plan*”.

As Commonwealth places, sites affected by Bush Forever are subject to Commonwealth law and will be regulated accordingly, and include the processes outlined above in a number of circumstances. The Commonwealth will consider the effect of any development on Bush Forever and the Bush Forever Office and key agencies will review master plans in order to maximise the retention of regionally significant bushland, where possible, to achieve a reasonable outcome.

Action No. 13 details that “*The Ministry for Planning, Department of Environmental Protection and other government agencies will continue to liaise with the Commonwealth and will make representation on matters relating to Bush Forever and other planning and environmental considerations, in particular through processes outlined in the Commonwealth Airports Act 1996. This will involve maximising the retention of vegetation through the master planning and major development plan process, where possible, in order to achieve a reasonable outcome.*”

3.3.11. State Planning Strategy

In 1997 the Western Australian Planning Commission adopted the State Planning Strategy in order to plan for development up to 2029. The Strategy is aimed at developing a land use planning system to achieve a number of goals including generating wealth, conserving and enhancing the environment, and building vibrant and safe communities.

Statement of Planning Policy No. 1 'State Planning Framework' was developed to bring together existing State and regional policies and plans which apply to land use and development in Western Australia. The framework is an amalgamation of all planning policies, strategies and guidelines of the State that provide direction on the form and methods of growth and development. It outlines a number of principles relating to the environment.

The State Planning Strategy outlines general principles and actions for the State and specific actions for the Perth Region. The Framework outlines a number of general principles for land use planning and development. In regard to the matter of the Environment and Community it states:

"A1. Environment

The protection of environmental assets and the wise use and management of resources are essential to encourage more ecologically sustainable land use and development. Planning should contribute to a more sustainable future by:

- i. promoting the conservation of ecological systems and the biodiversity they support including ecosystems, habitats, species and genetic diversity;*
- ii. assisting in the conservation and management of natural resources, including air quality, energy, waterways and water quality, land, agriculture and minerals, to support both environmental quality and sustainable development over the long term;*
- iii. protecting areas and sites with significant historic, architectural, aesthetic, scientific and cultural values from inappropriate land use and development;*
- iv. adopting a risk-management approach which aims to avoid or minimise environmental degradation and hazards; and*
- v. preventing environmental problems which might arise as a result of siting incompatible land uses close together.*

A2. Community

Planning anticipates and responds to the needs of existing and future communities through the provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities. Planning should recognise the need for and, as far as practicable, contribute towards more sustainable communities by:

- i. accommodating future population growth and providing housing choice and diversity to suit the needs of different households, including specialist housing needs, and the services they require;*
- ii. providing land for a range of accessible community resources, including affordable housing, places of employment, open space, education, health, cultural and community services;*
- iii. integrating land use and transport planning and promoting patterns of land use which reduce the need for transport, promote the use of public transport and reduce the dependence on private cars;*
- iv. encouraging high standards of urban design and a sense of neighbourhood and community identity;*
- v. promoting commercial areas as the focus for shopping, employment and community activities at the local, district and regional levels; and*
- vi. providing effective systems of community consultation at appropriate stages in the planning and development process."*

The preparation and development of this Environment Planning Strategy has been based on the overall vision outlined in the State Planning Strategy, and is consistent with the objects of that Strategy.

3.3.12. Western Australian Planning Commission Statements of Planning Policy (SPP)

Section 7(5) of the Town Planning and Development Act 1928 requires Council to have due regard to Statements of Planning Policy, prepared under S.5AA of the Act.

Section 35A of the Town Planning and Development Act 1928 requires a local town planning scheme to comply with the provisions of the Metropolitan Region Scheme.

3.3.13. State Planning Strategy and SPP No. 1 ‘State Planning Framework Policy’

In 1997 the Western Australian Planning Commission adopted the State Planning Strategy in order to plan for development up to 2029. The Strategy is aimed at developing a land use planning system to achieve a number of goals including generating wealth, conserving and enhancing the environment, and building vibrant and safe communities.

The State Planning Strategy outlines general principles and actions for the State and specific actions for the Perth Region. The general action that relates to this Planning Strategy includes the introduction of environmental sustainability considerations into planning process.

Statement of Planning Policy No. 1 ‘State Planning Framework’ was developed to bring together existing State and regional policies and plans which apply to land use and development in Western Australia.

The State Planning Framework is an amalgamation of all planning policies, strategies and guidelines of the State that provide direction on the form and methods of growth and development.

The Framework outlines a number of general principles for land use planning and development. In regard to the matter of the Environment it states:

“A1. Environment

The protection of environmental assets and the wise use and management of resources are essential to encourage more ecologically sustainable land use and development. Planning should contribute to a more sustainable future by:

- i. promoting the conservation of ecological systems and the biodiversity they support including ecosystems, habitats, species and genetic diversity;*
- ii. assisting in the conservation and management of natural resources, including air quality, energy, waterways and water quality, land, agriculture and minerals, to support both environmental quality and sustainable development over the long term;*
- iii. protecting areas and sites with significant historic, architectural, aesthetic, scientific and cultural values from inappropriate land use and development;*
- iv. adopting a risk-management approach which aims to avoid or minimise environmental degradation and hazards; and*
- v. preventing environmental problems which might arise as a result of siting incompatible land uses close together.”*

The preparation and development of this Environment Planning Strategy has been based on the overall vision outlined in the State Planning Strategy, and is consistent with the objects of that Strategy.

3.3.14. SPP 2 Environment and Natural Resources Policy

The environment and natural resources policy defines the principles and considerations that represent good and responsible planning in terms of environment and natural resource issues within the framework of the State Planning Strategy.

The policy is supplemented by more detailed planning policies on particular natural resources matters that require additional information and guidance.

The objectives of the policy are to:

- Integrate environment and natural resource management with broader land use planning and decision-making.
- Protect, conserve and enhance the natural environment.
- Promote and assist in the wise and sustainable use and management of natural resources.

Policy measures relate to: water resources; air quality, soil and land quality; biodiversity; agricultural land and rangelands; minerals, petroleum and basic raw material resources; marine resources and aquaculture; landscape; and greenhouse gas emissions and energy efficiency.

3.3.15. SPP 2.8 Draft Bushland Policy for the Perth Metropolitan Region

The aim of this policy is to provide a statutory policy and implementation framework that will ensure bushland protection and management issues in the Perth Metropolitan Region are appropriately addressed and integrated with broader land use planning. Proposals should recognise regionally significant bushland protection and its management as a primary purpose and a legitimate land use in its own right; ensure all reasonable steps have been taken to avoid, minimise or mitigate any likely adverse impacts on regionally significant bushland and adopt certain measures, as outlined in the policy, where there is likely to be an unavoidable impact.

3.3.16. SPP 2.9 Draft Water Resources

The draft water resources policy provides additional guidance for the consideration of water resources in land use planning processes, but does not address coastal areas or public drinking water source areas.

Measures relate to surface and groundwater resources; wetlands, waterways and estuaries, general measures; and total water cycle management. Schedule 1 of the policy provides guidance for incorporation of policy measures into planning mechanisms and decision making. The Guidelines require that new planning schemes must demonstrate that any proposed changes in land use will not have a significant impact on the environment.

3.3.16.1. SPP 2.10 Swan Canning River System

This policy contains a vision statement for the future of the Swan-Canning river system, policies based on the guiding principles for future land use and development in the precincts along the river system and performance criteria and objectives for specific precincts.

The objectives of this policy are to:

- provide a regional framework for the preparation of precinct plans based on the precincts identified in the Swan River System Landscape Description;
- provide a context for consistent and integrated planning and decision making in relation to the river; and
- ensure that activities, land use and development maintain and enhance the health, amenity and landscape values of the river, including its recreational and scenic values.

The policy is based on guiding principles relating to social benefits, environmental values, cultural and natural heritage, and design and development. Specific policy statements are proposed for various parts of the River with the City of Belmont falling within Section 8.3 'Perth Water'. Section 8.3 identifies that this part of the river provides a variety of recreational, commercial and transport activities. It also acknowledges that redevelopment has occurred along much of this section of the river in recent years, resulting in a wide variety of land uses and a changing landscape.

The policy requires that in regard to the City of Belmont planning decisions in this area should:

- recognise the importance of the river for transport, commerce, tourism and leisure as well as its conservation values;
- enhance the appearance and function of existing recreation, tourism and commercial nodes and proposed nodes identified in an adopted Swan-Canning precinct plan;
- protect places of cultural significance, in particular places on the State heritage register and the Department of Indigenous Affairs register of significant places;
- promote new riverside development appropriate to its surroundings and respectful of the unique river setting; and
- protect and enhance river views in redevelopment projects and ensure that development complements the natural landforms and provides opportunities for public access to and enjoyment of the river.

3.3.16.2. SPP 3.1 Residential Design Codes

The Codes provide a comprehensive basis for the control, through local government, of residential development throughout Western Australia. They are intended to cover all requirements for planning control purposes and to minimise the need for councils to introduce separate planning policies or variations to these matters. The Codes do not address the physical construction requirements or the internal arrangements of buildings - these are matters controlled by the Building Codes of Australia.

Objectives for residential development under the Codes are:

- to provide for a full range of housing types and densities that meet the needs of all people;
- to provide for local variations in neighbourhood character;
- to ensure appropriate standards of amenity for all dwellings;

- to ensure provision of on-site facilities for all dwellings;
- to protect the amenity of adjoining residential properties;
- to encourage the conservation of buildings with heritage value; and
- to encourage environmentally sensitive design.

The standards of the Codes detail minimum site areas, frontage, plot ratio, open space percentages, outdoor living area, and setbacks for a range of density codes. These controls determine in large part how responsive a design is required to be to environmental considerations on development sites.

3.3.16.3. SPP 3.4 Draft Natural Hazards and Disasters

The policy requires that regional and local planning strategies, structure plans, schemes, subdivisions, strata subdivision and development applications, as well as other planning decisions and instruments should have regard to the natural elements that may combine to create hazards including climate, geology, soils, vegetation cover, slopes, landforms and hydrology.

Other factors to be taken into account include:

- The built environment
- Community awareness
- The history of hazard events in the region
- The potential for long-term changes to risk such as climate and land use change.

Considering all of these elements will enable the definition of natural hazard management areas in planning strategies and schemes.

Of the hazard considerations identified by the policy, those relating to Floods, Bushfires and Earthquakes are applicable to the City of Belmont.

Floods are addressed within the City of Belmont by adherence to requirements that restrict development within the floodplain to that which does not produce an adverse impact on surrounding development and it has an adequate level of flood protection.

Earthquakes are addressed directly through the standards incorporated into the Building Code of Australia and referenced Australian Standards.

In regard to bushfires, the statement of planning policy incorporates by reference the provisions and requirements contained in the guidelines Planning for bushfire protection (2001), development control policy 3.7 Fire planning, and Rural urban bush fire threat analysis (2003). The focus of those documents are bush fire protection within new land development or rural areas and as such they have limited applicability to the City of Belmont as the City has been urbanised with the exception of the Airport land which is beyond local planning controls.

3.3.16.4. SPP 4.1 Draft State Industrial Buffer Policy

The purpose of the policy is to provide a consistent statewide approach for the protection and long-term security of industrial zones, transport terminals (including ports) other utilities and special uses. The objectives of the policy are:

- To provide a consistent statewide approach for the definition and securing of buffer areas around industry, infrastructure and some special uses.
- To protect industry, infrastructure and special uses from the encroachment of incompatible land uses.
- To provide for the safety and amenity of land uses surrounding industry, infrastructure and special uses.
- To recognise the interests of existing landowners within buffer areas who may be affected by residual emissions and risks, as well as the interests, needs and economic benefits of existing industry and infrastructure which may be affected by encroaching incompatible land uses.

The policy applies to all industry infrastructure and special use categories where on-site and off-site buffer areas are required. It also has regard to associated road/rail/pipeline transport routes servicing facilities and airports.

The policy addresses:

- buffer requirements including those applicable to the City of Belmont being general industry; light industry; and service industry.
- buffer requirements of major infrastructure (existing and new infrastructure) including major freight terminals (Kewdale) and airports (Perth International Airport).

In regard to light/service industry and technology parks the policy states that all emissions and hazards should be retained on-site or at least within the zone or park area. However, in regard to general industry off-site buffer areas may be required. Where buffer areas are required these are flagged as requiring incorporation into strategic plans and regional and/or local government town planning schemes through appropriate land use designations, zoning and development controls.

Within the City of Belmont, the Kewdale-Hazelmere Integrated Masterplan provides the direction for land use and transport infrastructure planning in the area. The Kewdale-Hazelmere region has been identified as a strategic precinct for the freight industry in Perth and Western Australia. It is a region that experiences complexities due to intermodal freight infrastructure networks, overlap of the three levels of government jurisdictions and the rapid expansion and change occurring within the freight industry.

This Masterplan has been prepared to ensure that the Kewdale-Hazelmere Region achieves its optimal operational efficiency. It provides a strategic framework within which the planning and growth of the Region can be managed to ensure that the Region's freight focus is protected and enhanced. In doing so, the Masterplan recognises the importance of freight operations and infrastructure, and the underlying need to protect freight infrastructure and activities, and other more sensitive land uses, from each other through graduated land uses.

For each issue identified through the Masterplan preparation process, the Masterplan makes a number of recommendations. One of the recommendations is that the WAPC consider measures to protect lots of greater than 3 ha in the Kewdale/Welshpool precinct until the proposed Metropolitan Freight Network policy and the review of DC policy 4.1 for Industrial Subdivision are finalised.

3.3.16.5. SPP 5.1 Land Use Planning in the Vicinity of Perth Airport

The 'Statement of Planning Policy No 5.1 – Land Use Planning in the Vicinity of Perth Airport' introduced the use of ANEF contours (Australian Noise Exposure Forecast) based on ultimate capacity. The Westralia Airports Corporation prepared the ANEF forecast in consultation with Airservices Australia.

The level of operations adopted for the forecast has been based on the nominal capacity of the airport identified in the 1999 Airport Master Plan, being 350,000 movements per year.

The SPP Policy requires noise insulation to be incorporated into new houses on lots affected by noise exposure levels above 25 ANEF. It also requires noise attenuation for major additions to existing houses involving the construction of more than two habitable rooms, or an increase of over 25% in habitable floorspace. In the case of building extensions, the noise insulation is only required for the additions.

The new ANEF prepared actually reduced the section of Belmont affected by the 1991 predicted 25-30 ANEC. A substantial number of properties that were coded 'Residential R12.5' were 'downgraded' and were contained within the 2004 20-25 ANEF. As the Policy recommended a maximum density of 'Residential R20' for properties within the 2004 20-25 ANEF, those properties were recoded from 'R12.5' to the higher coding of 'Residential R20' as an amendment to the Scheme.

The 2004 25-30 ANEF has been expanded to include a number of properties that were not previously affected by any ANEC contours. The new 25-30 ANEF now includes a number of residential properties near the intersection of Tonkin and Leach Highway, and it extends along a section of Tonkin Highway. These properties are currently zoned 'Residential R20', however there is limited opportunities for subdivision as most of the lots have insufficient lot area for redevelopment. Where there is no designated coding, the Policy recommends a density limitation of R12.5 in order to limit subdivision, and the creation of more affected lots / dwellings. As there are a limited number of lots with any subdivision potential, and the Policy allows for a higher density to facilitate infill development, re-zoning has not been contemplated for these affected properties. In any event, the Statement of Planning Policy standards relating to Notification on Title and building standards would apply should any re-development be proposed.

Clause 10.3.1.6 of Town Planning Scheme No. 14 (TPS 14) currently states that all properties within or partially within the 1991 25-30 ANEC (Australian Noise Exposure Concept) are zoned R12.5.

Clause 5.1.9 of the Scheme requires that an application must be submitted to Council for any new dwelling unit (inclusive of a single house, grouped dwelling or multiple dwelling) or alterations and/or additions to an existing dwelling unit involving more than two habitable rooms and resulting in an increase exceeding 25% of habitable floor space if the land subject of the application is partially or wholly within the 25-30 ANEF (Australian Noise Exposure Forecast) contours.

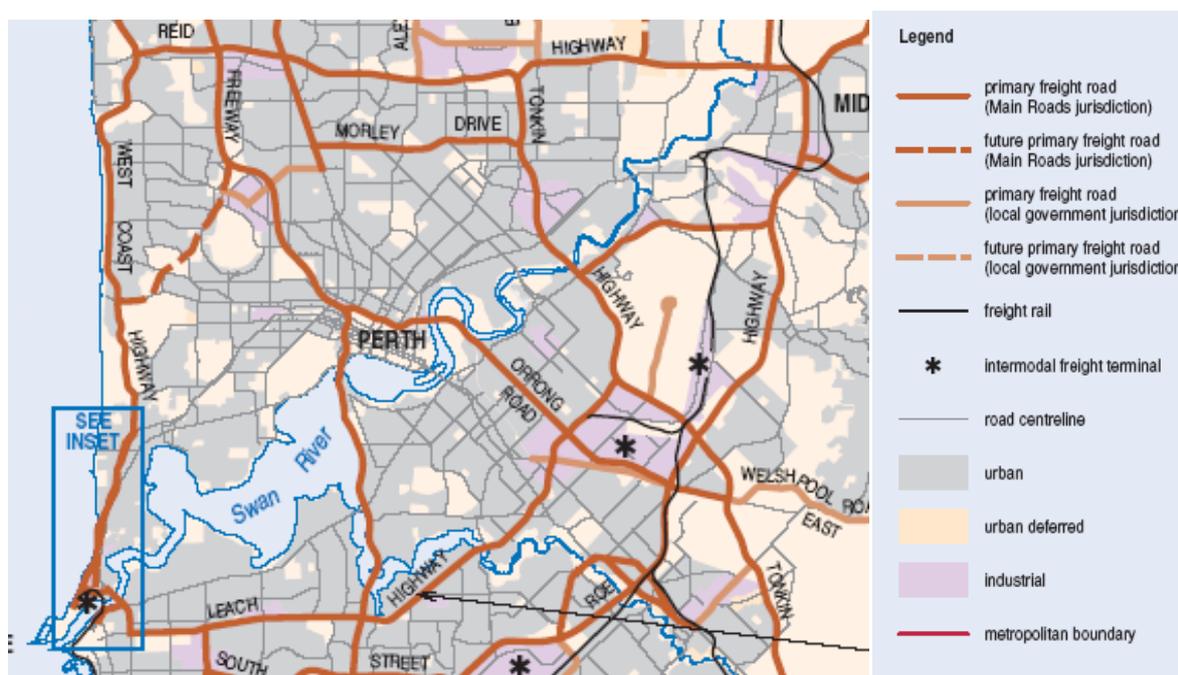
3.3.16.6. SPP Metropolitan Freight Network (Draft)

The intent of this policy is to identify and protect the metropolitan freight road and rail network as well as minimise the adverse impact of freight transport noise on adjacent development.

The objectives of the policy are to:

- facilitate the development and operation of an efficient freight network, based on strategic co-location of freight handling facilities serviced by an integrated network of freight transport facilities;
- protect the primary freight network from avoidable encroachment by any incompatible or noise sensitive development with the potential to compromise freight handling and/or transport operations;
- minimise adverse environmental and social impacts associated with the handling and movement of freight on noise sensitive development, such as housing; and
- inform local government and landowners of the designation of existing and proposed freight network.

The Primary freight network, for the purpose of this policy, comprises both freight roads and freight rail lines, with routes having been designated on the basis of importance for the movement of freight to and within the Perth Metropolitan Region. An extract from Appendix 1 of the draft policy is depicted below.



Within the City of Belmont Orrong Road, Tonkin Highway and Leach Highway are identified as Primary Freight Routes. In terms of applying the policy within the City of Belmont the policy identifies that as these roads are existing primary freight corridors abutting existing urban development the opportunity will arise to apply this policy along these corridors if and when redevelopment of individual properties is proposed or when the transport infrastructure is upgraded.

3.3.16.7. SPP Road and Rail Transport Noise (Draft)

This draft policy is primarily concerned with how the planning system can be used to minimise the adverse impact of transport noise without placing unreasonable restrictions on development or adding unduly to the cost of road and rail infrastructure.

Specifically, the policy:

- establishes criteria to be used in the assessment of proposals involving noise-sensitive development in the vicinity of major transport corridors;
- identifies measures that can be adopted to reduce road and rail traffic noise; and
- describes the circumstances when such measures are required.

The City has made comments on the draft policy raising a number of concerns. In essence the concerns revolve around the policy being aimed at all landuses along freight routes or freight handling facilities and not detailing specific requirements for existing built up areas near existing freight routes and facilities.

An example given is that with the upgrading of Orrong Road, the majority of properties abutting Orrong Road were rezoned to have a flexible coding of R20-60. A Local Planning Policy also applies to Orrong Road and requires the following for new higher density residential development:

- The floor plan for new dwellings on land adjacent to Orrong Road shall be designed so that those rooms least sensitive to vehicular noise, including secondary living areas, kitchens, bathrooms and spare bedrooms, are sited closest to Orrong Road.
- Design measures to attenuate dwellings against traffic noise shall be encouraged (refer to Australian Standard 3671 – Acoustics – Road Traffic Intrusion – Building and Siting Construction).

Existing residential areas also exist adjacent to Leach Highway and Tonkin Highway.

3.3.17. Western Australian Planning Commission Development Control (DC) Policies

The WAPC's operational policies, often referred to as development control or DC policies, sit within a structure which is established under the State Planning Strategy and Statement of Planning Policy No.1 State Planning Framework.

3.3.17.1. DC 1.1 Subdivision of Land General Principles

Policy No. DC 1.1 Subdivision of Land – General Principles requires that the subdivision of land is consistent with Statement of Planning Policy No. 1 State Planning Framework and relevant WAPC policies and plans. Clause 3.2.4 requires sufficiently detailed assessment of a site demonstrating “*a sustainable and environmentally site responsive design*”. The policy also requires that all new subdivided lots are provided with a standard of public utility service appropriate for the intended use.

3.3.17.2. DC 1.5 Bicycle Planning

This policy describes the planning considerations which should be taken into account in order to improve the safety and convenience of cycling. Both State and local government agencies have been encouraged to promote cycling as a mode of transport because of:

- recognition of the adverse environmental effects of motor vehicles, particularly the private car;
- moves towards the development of low-energy lifestyles, initially as a response to the “energy crisis” of the mid-1970s;

- the need to make more efficient use of transport infrastructure;
- increasing awareness that cycling reduces congestion and the need for car parks.

The policy supports the provision of appropriate bicycle facilities through the imposition of development conditions dealing with such matters as the type, number and location of bicycle parking facilities, and the installation of showers and change rooms with an emphasis on locations including:

- shopping centres
- factories
- offices
- educational establishments
- sport, leisure and entertainment centres
- health centres and hospitals
- libraries and other public buildings
- rail and bus stations
- major places of employment
- parks
- beaches and recreation venues
- tourist attractions.

3.3.17.3. DC 1.6 Planning to Enhance Public Transport Use

This Commission policy aims to ensure that planning takes into account the opportunities created by provision of public transport and that provision is made in structure planning and subdivision design for public transport services. This policy is an integral part of a range of policies directed towards greater urban sustainability in accordance with the State Planning Strategy (Principles and Actions 7.4: Infrastructure) and the State Planning Framework, Statement of Planning Policy No.8.

Policy objectives include:

- ensuring the optimum use of land close to railway stations, bus terminals, transport interchanges and routes containing frequent public transport services for residential, commercial and other intensive uses; and
- promoting development of a more sustainable urban form.

The policies flags that in preparing town planning schemes, opportunities for the intensification and diversity of land uses within public transport precincts should be maximised.

In regard to Residential development, the policy recommends that medium to high residential densities should be encouraged in public transport precincts and on land within 200m of identified frequent public transport services.

3.3.17.4. DC 2.2 Residential Subdivision

This policy establishes the Commission's position regarding residential subdivision. Policy objectives include the facilitation of the supply of residential lots of a wide range of sizes and shapes which reflect the statutory provisions of town planning schemes, the availability of reticulated sewerage and the need for frontage to public roads.

The policy states that the Commission will apply the Government Sewerage Policy Perth Metropolitan Region (1995). The essence of that policy is that the provision of reticulated sewerage to all new residential subdivisions will be mandatory in most circumstances.

3.3.17.5. DC 2.3 Public Open Space in Residential Areas

Policy No. DC 2.3 Public Open Space in Residential Areas includes as an objective the protection and conservation of the margins of wetlands, watercourses and the foreshores adjacent to residential development.

The policy contains provisions for dealing with multiple use of public open space and stormwater management facilities.

A separate Local Planning Strategy is being prepared addressing the issue of public open space within the City of Belmont.

3.3.17.6. DC 4.1 Industrial Subdivision

Policy No. DC 6.3 Planning Considerations in the Metropolitan Region for Sources of Public Water Supply and Sensitive Water Resource Areas is directed towards ensuring that water resources are given adequate consideration in planning decisions within the metropolitan region.

The policy states that the WAPC will not support subdivision which creates an unacceptable risk of pollution to surface or groundwater, modifies water balance to the detriment of the environment, diminishes water resources, or which is inconsistent with land and water management plans and policies for the area.

3.3.18. Western Australian Planning Commission Liveable Neighbourhoods

Liveable Neighbourhoods has the following aims.

1. To provide for an urban structure of walkable neighbourhoods clustering to form towns of compatibly mixed uses in order to reduce car dependence for access to employment, retail and community facilities.
2. To ensure that walkable neighbourhoods and access to services and facilities are designed for all users, including users with disabilities.
3. To foster a sense of community and strong local identity and sense of place in neighbourhoods and towns.
4. To provide for access generally by way of an interconnected network of streets which facilitate safe, efficient and pleasant walking, cycling and driving.
5. To ensure active street-land use interfaces, with building frontages to streets to improve personal safety through increased surveillance and activity.
6. To facilitate new development which supports the efficiency of public transport systems where available, and provides safe, direct access to the system for residents.
7. To facilitate mixed use urban development which provides for a wide range of living, employment and leisure opportunities capable of adapting over time as the community changes, and which reflects appropriate community standards of health, safety and amenity.
8. To provide a variety of lot sizes and housing types to cater for the diverse housing needs of the community at a density that can ultimately support the provision of local services.

9. 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.
10. To provide for a more integrated approach to the design of open space and urban water management.
11. To ensure cost-effective and resource-efficient development to promote affordable housing.
12. To maximise land efficiency wherever possible.

Perth, in particular, faces serious issues in the twenty-first century. These include the high cost of providing services and facilities to cater for continued rapid expansion, the need for greater housing affordability, concerns about safety and security, a desire for greater social, economic and environmental sustainability, need for more locally-based jobs and the ability to provide public transport more efficiently.

Today there is greater emphasis on social, economic and environmental aspects, with the resulting urban forms in transition. Recent neighbourhood design concepts have been given titles such as Transit Oriented Design (TOD), Traditional Neighbourhood Design (TND), Greenhouse Neighbourhoods and Urban Villages. In each case the underlying objective is to create Liveable Neighbourhoods that reduce dependency on private vehicles and are more energy and land efficient.

In response to this, the emerging planning agenda focuses on the idea of an urban structure based on walkable mixed use neighbourhoods with interconnected street patterns to facilitate movement and to disperse traffic. Daily needs may be in walking distance of most residents. With good design, more people will actively use local streets, enhancing safety. Local employment opportunities are facilitated in the town structure, providing the community with a firmer economic base and enhancing self containment of neighbourhoods and towns.

Safe, sustainable and attractive neighbourhoods are sought with a strong site-responsive identity supportive of local community. This model promotes better community, employment and environmental sustainability than conventional planning practice.

3.3.19. Western Australian Planning Commission Network City

In 2004 the State Government launched Network City after widespread consultation. The community plan that was produced outlines a change in direction for planning in Perth.

Chapters Three and Five of the document specifically touches on areas of specific interest to this project.

Chapter Three considers what is required to make Perth the world's most liveable city by 2030. It defines a liveable city as encompassing "features that create and support liveable places and communities that offer a high quality of life with the ability to function as long term, viable settings for human interaction, communication and cultural development."

The Network city accepts that liveable cities have the following features:

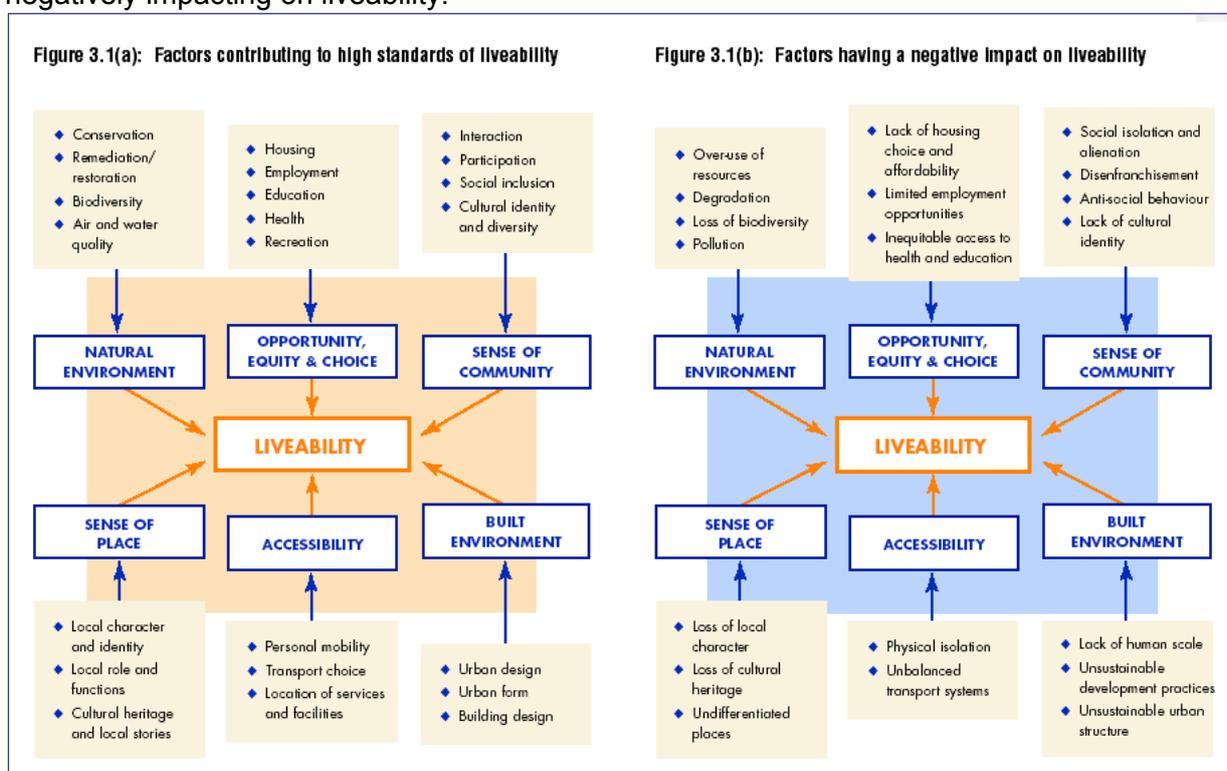
- clean, green, attractive and distinctive;
- good public transport and pedestrian systems;
- equitable, inclusive, safe and prosperous;
- provides high standards of housing, education and health care;

- maintains high levels of employment;
- tolerant and embraces diversity;
- culturally and intellectually stimulating; and
- gives people a sense of identity, pride and belonging.

The Dialogue process has identified a number of key liveability factors valued by Perth people, including:

- standard of living (value in the housing market etc);
- lifestyle (casual, friendly, outdoor etc);
- space (lots of parks, the beach, uncrowded etc);
- the natural environment (river, ocean, hills etc);
- environmental 'health' (comparatively little air pollution and congestion etc); and
- accessibility to housing, services and employment (affordable, diverse, choice etc).

Figure 3.1 from Network City is reproduced below and shows factors both positively and negatively impacting on liveability.



Source: Network City: Community Planning Strategy for Perth and Peel

The key principles and elements relevant to planning for a liveable city include protecting and enhancing the natural environment, open spaces and heritage by:

- protecting the beauty and accessibility of our beaches, parks and rivers;
- protecting and enhancing waterways and air quality;
- protecting water supplies, both surface and in aquifers; and
- protecting and enhancing our natural, cultural and built heritage, including Indigenous heritage.

Chapter Five details planning principles for the environment and heritage. In essence it requires protection and enhancement of the natural environment, open spaces and heritage.

3.3.20. Western Australian Planning Commission Sustainability Checklist

The Sustainability Checklist discussion document was the initial step in developing a sustainability scorecard. The checklist involves developing an acceptable set of economic, social and environmental criteria for the planning, building and development industry.

The City has made comments on the draft checklist raising a number of concerns. On a positive note, it was considered that the Checklist was good at a high level and should be applied to Town Planning Schemes and Scheme Amendments. As such it is intended that the questions contained within the Checklist will be applied as a scorecard for any revision of Town Planning Scheme No. 14. The questions will be posed as below.

Will the Scheme...

- Increase the proportion of trips using public transport?
- Increase the proportion of cycling trips?
- Increase the proportion of walking trips?
- Reduce private vehicle kilometres travelled?
- Reduce sole-occupant car trips (passengers should not be sourced from cycling or walking)?
- Improve community safety and security?
- Establish a socially diverse community?
- Support indigenous communities?
- Provide education and training opportunities?
- Provide affordable housing?
- Provide a diversity of housing product?
- Provide flexibility of housing product?
- Increase home-based employment?
- Increase employment of Aboriginal people?
- Reduce urban sprawl?
- Prevent co-location of incompatible land uses?
- Provide open space that complies with the principles of universal design?
- Provide recreational areas that comply with the principles of universal design?
- Provide community facilities that comply with the principles of universal design?
- Improve community health outcomes?
- Integrate land use and transport?
- Identify, acknowledge, protect, enhance, manage and promote indigenous heritage?
- Identify, acknowledge, protect, enhance, manage and promote cultural heritage?
- Identify, acknowledge, protect, enhance, manage and promote natural heritage?
- Establish community networks?
- Form partnerships with the community?
- Invest in community decision making capacity building?
- Support community creativity and vitality?
- Facilitate visual amenity?
- Facilitate amenity and a 'sense of place'?
- Create jobs (short-term and long-term)?
- Establish new enterprises?
- Retain new enterprises?

Will the Scheme...

- Increase revenue flow (direct and indirect) to State and local government?
- Balance capital expenditure between State and local government and the private sector?
- Limit operating costs?
- Provide advanced communications technology and infrastructure?
- Provide employment to the unemployed?
- Deliver more benefits than costs (including environmental and social benefits and costs)?
- Avoid risk of damage from physical processes?
- Promote sustainability through the use of economic instruments?
- Decrease potable water consumption?
- Reduce energy use from non-renewable sources?
- Reduce greenhouse gas emissions?
- Rehabilitate or remediate degraded land for appropriate future use?
- Rehabilitate contaminated sites?
- Reduce waste disposal to landfill?
- Reduce the negative impacts of light spill?
- Protect or enhance the noise environment?
- Reduce emissions of air pollutants?
- Improve indoor air quality?
- Conserve and enhance land that has high biodiversity and/or conservation value?
- Conserve and enhance water resources with high biodiversity and/or conservation value?
- Prevent export of pollutants to receiving waters?
- Promote natural flow regimes for water resources?
- Protect flora, fauna and fisheries?
- Provide co-generation opportunities?
- Avoid permanent negative changes to coastal processes?
- Safeguard high-value landscapes and seascapes?
- Improve efficiency of resource use?
- Maintain essential ecological functions?
- Encourage the community to be engaged actively in decision-making?
- Ensure genuine opportunities for consultation and feedback?
- Recognise community concerns?
- Encourage increased levels of participation of historically disadvantaged?
- Ensure accountability?
- Employ decision-making processes which are open and transparent?
- Ensure financial resources are managed and properly audited?
- Ensure decisions are implemented?
- Ensure policy, legislation, regulation and practice meet sustainability goals?

3.3.21. Western Australian Planning Commission Planning Bulletin No. 61 – Urban Stormwater Management

The purpose of this bulletin is to advise on the WAPC current policy and practice regarding urban stormwater management and considerations the WAPC will take into account when dealing with urban stormwater management for new residential subdivisions.

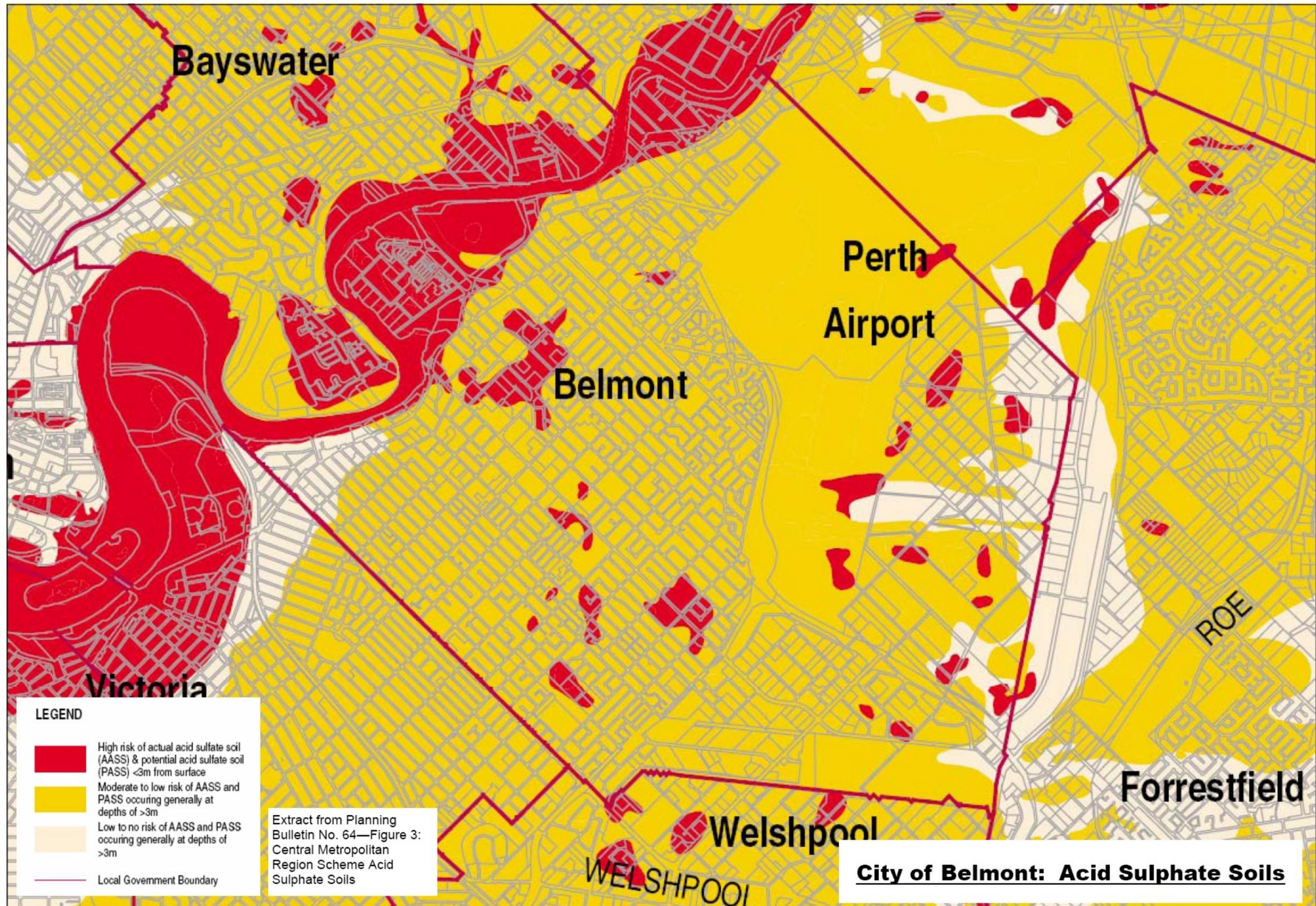
Urban stormwater is the run-off from urban areas. Various factors influence the quantity and quality of stormwater. These include the duration and intensity of rainfall, soil type, proportion of impervious surfaces, contours of the land, land use, and the design and management of stormwater systems. Stormwater is also a source of contamination. In addition to contaminants from the atmosphere, stormwater has the potential to transport accumulated surface material including litter, dust, oils, grease, fertilisers and other nutrients into waterways.

3.3.22. Western Australian Planning Commission Planning Bulletin No. 64 – Acid Sulphate Soils (2004)

The purpose of Planning Bulletin No. 64 is to provide advice and guidance on matters that should be taken into account in the rezoning, subdivision and development of land that contains acid sulfate soils.

The WAPC is developing a comprehensive policy response to the issue of acid sulphate soils. In the meantime, the planning guidelines set out in appendix 1 of Planning Bulletin No. 64 provide information and advice on relevant considerations to be taken into account in planning decision-making. Mapping is provided with the bulletin identifying areas of high risk however care must be taken to use the maps within its limit of scale.

The majority of the City of Belmont falls within the Moderate to Low Risk Category of having Actual and Potential Acid Sulphate Soils, however there are some high risk sites.



3.4. Regional Context

3.4.1. Perth Region Natural Resource Management (NRM)

Perth Region NRM Inc. is a community-led regional organisation responsible for coordinating and delivering natural resource management (NRM) in the Perth Region.

As one of 56 regionally based organisations from around Australia, Perth Region NRM is helping to achieve a nation-wide approach to management and restoration of our environment.

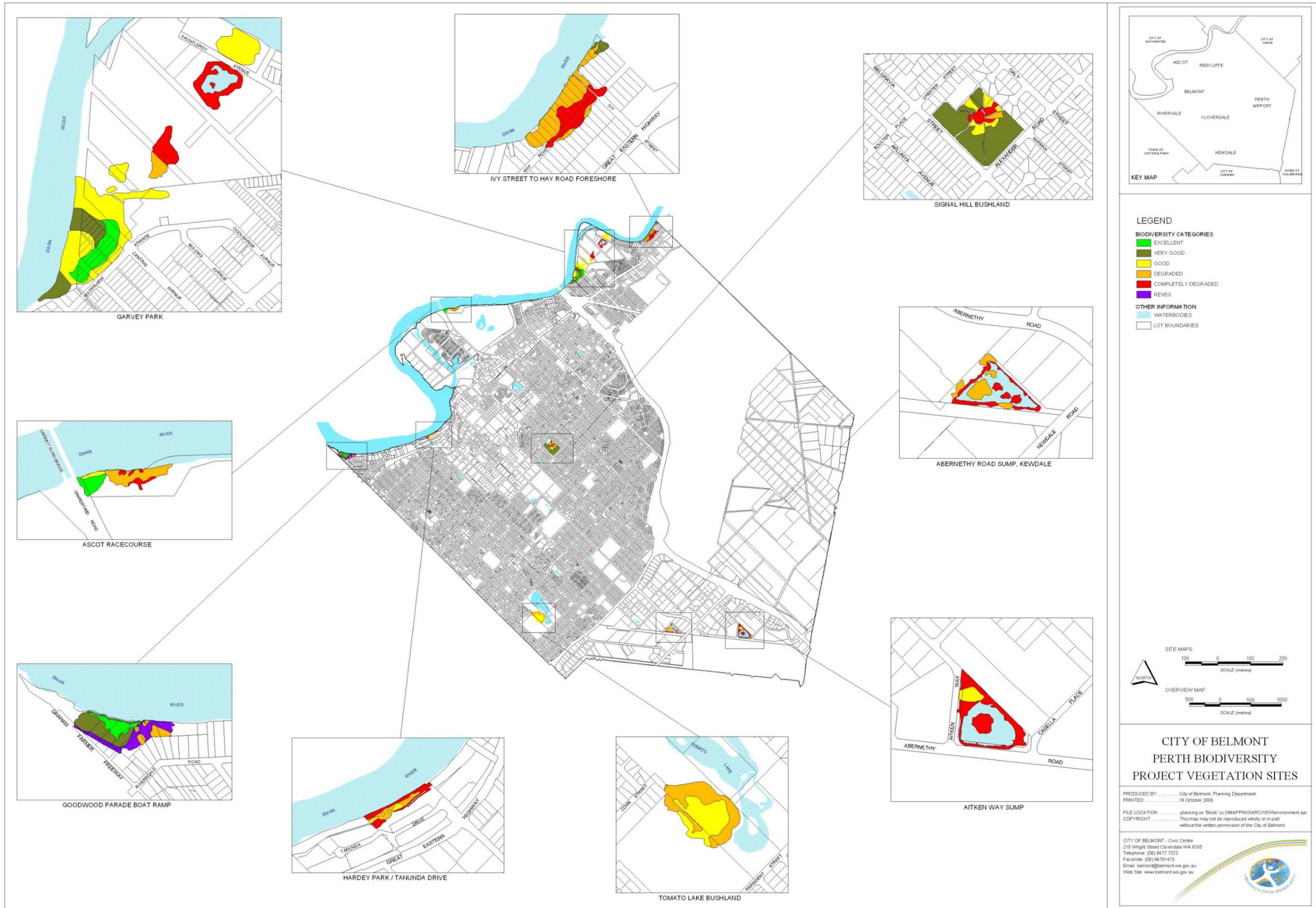
Perth Region NRM is an incorporated association, made up of members from the community, State Government, Local Government and the corporate sector.

3.4.2. Perth Biodiversity Project (PBP)

The Perth Biodiversity Project aims to assist local government and key community environmental groups in the development and implementation of biodiversity protection and management activities. Local areas mapped as part of the project include:

- Tonkin Highway/Kewdale Road Compensating Basin
- Hardey Park
- Abernethy Road/ Kewdale Sump
- Aitken Way Sump
- Swan River floodplain: Hay Road to Ivy Street
- Goodwood Parade Estuarine Dampland
- Ascot Racecourse Foreshore Estuarine Dampland
- Signal Hill Reserve
- Garvey Park (Southern Wetland, Flooded Gum Woodland & Saline Lakes)
- Tomato Lake Bushland

These sites have been recognised by the City of Belmont as priority natural bushland areas to be protected.



3.4.3. Local Government Natural Resource Management (NRM) Policy Development Project

The Policy Development project encourages the application and adoption of Best Planning Practices and Best Management Practices documented in policies, guidelines and checklists being developed by the Eastern Metropolitan Regional Council.

The policies and guidelines developed relate to many of the City of Belmont's activities including:

- Small to medium industrial enterprises
- Water sensitive urban design
- Stormwater management
- Landscaping with local plants
- Foreshore management
- Erosion and sediment control
- Waste management

3.4.4. Regional Environmental Strategy

An initiative of the Eastern Metropolitan Region of Councils (EMRC), the Regional Environmental Strategy was developed to ensure a sustainable approach to future development.

Broad issues addressed in the strategy include:

- Air quality;
- Biodiversity;
- Community participation in and awareness of environmental issues;
- Fire management;
- Funding and resources;
- Land management and rehabilitation;
- Planning development and economic activity;
- Recreation in parks, reserves and national parks;
- Waste management; and
- Water quality.

The EMRC is currently in the stages of developing a new Regional Environmental Management Strategy for 2010-15. The City will contribute towards this through membership on a Regional Environmental Advisory Committee'

3.4.5. Perth Air Quality Management Plan

The Plan outlines key strategies and actions to manage air quality in Perth over the next 30 years. In particular, the problems of photochemical smog in summer and particle haze in winter will be targeted.

Of the key programs, the program likely to have the greatest impact on the City of Belmont is the implementation of TravelSmart initiatives, such as the development of Green Transport Plans.

3.4.6. Swan River Management Framework

The Swan River Management Framework is a regional initiative, being led by the EMRC, that aims to enhance use and improve economic, social and environmental values of the Swan River through careful land use planning.

The project aims to develop a partnership between the State Government and member Councils of the EMRC in the development of the planning framework. to create an overarching vision and guide future development, preservation and restoration of the foreshore area.

Objectives are to:

- Develop a regional view of the opportunities associated with the Swan River
- Develop a vision for the future development of the Swan River as a regional asset and identification of nodes, forms of development and strategies to contribute towards achieving this overarching vision
- Develop a strategic framework for progressing the detailed local area planning of the identified nodes/ activities
- To provide guidance on consistent and effective land management practices.

The Swan River Management Framework is likely to have a significant impact on the future development and management of the 11km of Swan River foreshore and adjacent land within the City of Belmont. Areas identified as significant within the City of Belmont include:

- Garvey Park
- 6PR Radio Mast and environs
- Black Swan Island
- Bristle Park
- Sandringham Hotel
- 'The Springs' foreshore
- Swan Portland No. 1 Dredge
- Balbuk Way boat ramp

The City of Belmont has been involved in the development of the concept plan through participation in the Swan River Concept Plan Working Group.

3.5. Local Context

3.5.1. City of Belmont Strategic Plan 2006 to 2011

The City of Belmont Strategic Plan sets the direction that Council will take in the City of Belmont. It establishes goals, strategies to achieve them, and measurable performance objectives to enable Council and the Community to review progress.

The City's Vision Statement follows:

"This is described by Belmont as a place to which the community aspires; a City that is attractive, safe, healthy and prosperous and fulfils the aspirations of the community; a place that encourages a wide range of lifestyles living harmoniously; where human activities enhance rather than degrade the natural and built environment: where citizens and local businesses can grow socially, culturally and economically; a place that our next generation will be pleased to inherit; a place known as a City of Opportunity".

To be successful overall, outcomes must be achieved for:

- the resident community (Social Belmont),
- the City's business community (Business Belmont),
- the natural environment (Natural Belmont), and for
- the man-made physical structure and layout of the City (Built Belmont).



These four areas of achievement make up the Key Result Areas of the Strategic Plan and each Result Area interacts with others.

With specific reference to this Strategy, the key areas of the Strategic Plan are those areas of Natural Belmont and Built Belmont.

The Natural Belmont key result area is about achieving sustainable outcomes for the natural environment and for the community. It includes natural resources, parkland, the Swan River and foreshore. There are substantial pressures on the green environment, and opportunities for improvement. These include pollution, restricted scheme water, over-used ground water, under-utilised stormwater, reduced biodiversity, foreshore erosion and the need for new management strategies for the 164 irrigated hectares of open space given a reduction in available water.

Key strategies are to:

*“Protect and enhance local biodiversity values;
Maintain and enhance the Swan River – its setting, amenity value and biodiversity – as a community resource.
Minimise the risk of pollution incident and impact; and
Reduce scheme water use by Council and the community, and improve the quality of water being discharged to the environment”*

The Built Belmont key result area is about positively contributing to the quality of life of residents, the image of the City and the amenity of the City. It comprises public infrastructure (eg roads, footpaths, rights-of-way, street lighting, drainage, parks, bushland); public facilities (eg Council’s buildings for community use); and private residential and commercial property.

The objectives for this key result area are to:

- *Achieve a planned City that is safe and meets the needs of the community*
- *Accomplish urban renewal of designated areas to meet the changing needs of the community*
- *Maintain public infrastructure in accordance with sound economic principles, taking into account the community’s needs & expectations*
- *Provide and maintain safe transport infrastructure at lowest whole-of-life costs*

A key strategy is to “Revise the Town Planning Scheme to reflect current and emerging needs”.

3.5.2. City of Belmont Environment Plan

The objectives of the City of Belmont Environment Plan 2010-2015 act as a guide to policy and action in the management of the City and the promotion of good environmental practices by the City, other stakeholders and the broader community.

The City of Belmont’s specific environmental objectives as they relate to the Environment Plan include:

- *“To promote water conservation and efficiency and ensure sustainable use of groundwater;*
- *To respond to air quality and noise issues within the City;*
- *To ensure the impact of future development on the environment is considered through land use planning and development control;*
- *To protect, manage and enhance the biodiversity values of the natural environment;*
- *To promote the efficient use of energy and a reduction in greenhouse gas emissions;*

- *To plan and implement measures to ‘future proof’ against the predicted impacts of climate change;*
- *To minimise the amount of waste disposed to landfill and promote the 4Rs of reduce, reuse, recycle and recover;*
- *To increase community awareness of environmental issues and encourage participation in environmental enhancement programs;*
- *To minimise the risk of pollution incidence arising from businesses and the community;*
- *To integrate environmental considerations into core business activities”.*

Those ongoing actions specifically relating to land use planning and development control are located within the ‘Built Environment’ chapter, and include:

- *“Refer relevant development applications to the Environment Section for comment, and set conditions and/ or include footnotes to minimise environmental impacts of development;*
- *Provide copies of ‘Grow Local Plants’ and ‘Maintaining and caring for your street verge’ brochures to grouped dwelling applicants to encourage the establishment of local, native plants;*
- *Incorporate water sensitive urban design principles and best practice management initiatives into developments;*
- *Conduct annual review of standard environmental planning conditions;*
- *Ensure the Environmental Planning and Public Open Space strategies underpinning the new Town Planning Scheme are considered in all development;*
- *Schedule installation of street trees in new developments to occur after building construction has been completed, to avoid issues with removal/ damage;*
- *Ensure the risk of exposure of actual or potential Acid Sulfate Soils is considered for all developments and apply conditions for further investigation and remediation if required”.*

New actions include:

- *3.1: Investigate current legislation relevant to protection of street trees and develop a policy for dealing with unauthorised damage to street trees.*
- *3.2: Include buildings Green Star rating in the officer report to Council under ‘Environmental Implications’.*
- *3.3: Review the Building Licence Application Process to identify measures of preventing conflicts between building construction/ crossovers and street trees.*
- *3.4: Develop approval guidelines for wash down bays.*
- *3.5: Develop a policy for the protection of significant trees on road reserves, Public Open Space and City managed land through a significant tree register.*
- *3.6: Develop a schedule for reviewing and upgrading sumps and compensating basins for the purposes of community recreation, carbon credits and environmental restoration.*

For more information on specific activities and projects being implemented relating to other objectives, please refer to the Environment Plan.

3.5.3. Town Planning Scheme No. 14

Town Planning Scheme No. 14 was gazetted in December 1999. This District Scheme was established in accordance with the requirements of the Town Planning and Development Act 1928 (as amended) and Town Planning Regulations 1967.

The Metropolitan Region Town Planning Scheme Act 1959 stipulates that any town planning scheme must be consistent with the Metropolitan Region Scheme.

Amongst the Aims of the Scheme is: *“To protect and enhance the environmental values and natural resources of the local government area and to promote ecologically sustainable land use and development.”*

Under Clause 5.8.1 when Council exercises discretion in considering a planning application, the Council shall have due regard to the following:

- “(a) the aims and provisions of this Scheme and any other relevant town planning scheme(s) operating within the district including the Metropolitan Region Scheme;*
- (b) the provisions of the Local Planning Strategy;*
- (c) the requirements of orderly and proper planning including any relevant proposed new town planning scheme that has been adopted by the Council pursuant to the Town Planning Regulations 1967 or any pending amendment to the Metropolitan Region Scheme;*
- (d) any approved Statement of Planning Policy of the Commission;*
- (e) any approved Environmental Protection Policy under the Environmental Protection Act 1986;*
- (f) any other policy or strategy of the Commission or any planning policy adopted by the Government of the State of Western Australia;*
- (g) any planning policy adopted by the Council under the provisions of clause 2.5 of this Scheme, any heritage policy statement for any designated Heritage Area adopted under sub-clause 7.2.2 of this Scheme, or any other plan or guideline adopted by the Council under the provisions of this Scheme;*
- (h) the conservation of any place on the Heritage List or character or appearance of a Heritage Area;*
- (i) any environmental consideration;*
- (j) whether the land to which that application relates is unsuitable for the proposal by reason of it being, or likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;*
- (k) the preservation of the amenity of the locality;*
- (l) the relationship of the proposal to development on adjoining land or on other land in the locality;*
- (m) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;*
- (n) the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*

- (o) *whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;*
- (p) *whether public utility services are available and adequate for the proposal;*
- (q) *whether adequate provision has been made for access by disabled persons;*
- (r) *whether adequate provision has been made for the landscaping of the land to which the planning application relates and whether any trees or other vegetation on the land should be preserved;*
- (s) *whether the proposal is likely to cause soil erosion or land degradation;*
- (t) *the potential loss of any community service or benefit resulting from the Planning Approval;*
- (u) *any relevant submissions or objections received on the application;*
- (v) *the comments or submissions received from any authority consulted under clause 5.4;*
- (w) *any other consideration the Council considers relevant.”*

3.5.4. City of Belmont Local Planning Policies

Clause 2.3 of the City of Belmont Town Planning Scheme No. 14 relates to local planning policies. It allows for Council to prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme Area and can apply generally or for a particular class or classes of matters; and throughout the Scheme Area or in one or more parts of the Scheme Area. Any Local Planning Policy prepared must be consistent with the Scheme and where any inconsistency arises the Scheme prevails.

There are a number of local planning policies adopted under Scheme No. 14 which incorporate environmental principles. Those local planning policies which do incorporate some form of environmental principles include:

- LPP No. 1 - Performance Criteria for Medium Density Residential Development
- LPP No. 6 - Ascot Waters Special Development Precinct Policy
- LPP No. 7 - Development of Mobile Phone Towers and Associated Facilities
- LPP No. 9 - Building Height and Bulk Along Great Eastern Highway
- LPP No. 11 - Orrong Road
- LPP No. 13 - Subdivision of Land in the Kewdale Industrial Estate
- LPP No. 20 - Hill 60 Development Guidelines Policy
- LPP No. 22 - Belgravia Estate Special Development Precinct Policy

3.5.5. Perth International Airport – Master Plan 2004

In accordance with Part 5 Division 3 of the Airports Act 1996, Westralia Airports Corporation completed a review of the approved 1999 Perth Airport Master Plan and produced a new Master Plan 2004. That plan was approved by the federal Minister for Transport and Regional Services on 10 August 2004.

Chapters 13 and 15 of that Master Plan contain requirements relevant to this Strategy. Chapter 13 specifies requirements for the Non-Aeronautical Property System and Chapter 15 details requirements in regard to the Environment.

As the land is subject to Commonwealth control, State and Local requirements are not applicable.

The Non-aeronautical section of the Master Plan reviews the approved 1999 Master Plan and outlines a strategy for the airport's 997 hectares of non-aeronautical property, which is defined as land surplus to passenger and aviation related requirements.

The purpose of the Non-aeronautical strategy is to provide strategic development direction which is guided by sound on-airport and off-airport planning principles.

Both planning and development objectives drive the non-aeronautical property strategy. The planning objectives are:

- *“integrates the airport’s overall development strategy and aeronautical requirements;*
- *accommodates the planning constraints unique to airport property such as the Australian Noise Exposure Forecast (ANEF), Obstacle Limitation Surfaces (OLS) and the Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) surfaces, that place land use conditions and building height limitations on applicable commercial properties;*
- *accommodates natural heritage areas on the airport through sensitive planning, integration and preservation of natural bush land areas;*
- *respects and supports current regional and local planning principles and concerns as outlined in the Metropolitan Regional Scheme (MRS) and Town Planning Schemes;*
- *respects and supports the planning efforts of airport neighbours such as the City of Swan, the City of Belmont, and the Shire of Kalamunda; and*
- *fosters and supports sustainable development within the airport property using the latest planning principles and supports the economic development of the region.”*

The City’s approach has been that all precincts detailed under the Master Plan should be progressed using a structure plan and planning guidelines approach, to ensure that any areas of vegetation and wetlands containing conservation values are identified and fenced to provide certainty and ensure that future developments will be able to integrate with these environmental values.

The Perth Airport Master Plan and Environment Strategy identify Conservation Precincts within which remnant vegetation will be protected and managed for conservation purposes.

4. ISSUES

4.1. Biodiversity

Prior to European settlement, there was approximately 3,839 hectares of native bushland in the area now located in the City of Belmont, of which 503.95 hectares (or 13.1%) is remaining (Perth Biodiversity Project Mapping Data, 2003). The significant majority of this vegetation (430 hectares or 85%) is located in the Perth Airport site.

Highly developed urban municipalities usually have very small remaining proportions of natural areas and native vegetation; the total remaining native vegetation within the City of Belmont, other than the Perth Airport site, covers only 1.9 percent of the City's area. Most of this vegetation is located within small, fragmented reserves under Government management, though some is zoned Industrial (6ha) and Urban (5ha) under the Metropolitan Region Scheme (MRS).

The remaining vegetation in the City of Belmont is from 4 vegetation complexes; the Bassendean Complex, the Guildford Complex, the Southern River Complex and the Swan Complex. The remaining vegetation within the City is summarised below.

Table 2: Extent of original vegetation in the City of Belmont, by Vegetation Complex, and the extent remaining in the City on Belmont in 2001*

Vegetation Complex	Pre-European		Remaining Extent 2001	
	Total (ha)	%	Total (ha)	%
Bassendean	2082	54	129	6
Guildford	201	0	2	1
Southern River	1512	39	344	23
Swan	44	1	7	16

* Data derived from the Perth Biodiversity Project's Local Biodiversity Planning Guidelines, 2004.

Current science indicates that retaining 30 % of the original extent of an ecological community is required to prevent exponential loss of species. Past clearing means that this target cannot be reached for any of the vegetation complexes remaining in the City of Belmont. These remaining habitats are significant not only in terms of biodiversity, but for aesthetic values associated with having the environment as part of our city.

Despite the highly modified environment in the City of Belmont, there remain opportunities to strengthen and improve linkages between Local Natural Areas (areas outside Bush Forever Sites, the CALM Managed Estate and Regional Parks) through the use of multi use corridors such as linear POS and drainage reserves and the greater use of local native species in streetscapes and gardens, as research in the Perth area has shown that the native trees support substantially higher levels of biodiversity than introduced species. A partnership has been established to combine with the City of Bayswater and the Town of Bassendean to produce a combined Biodiversity Strategy which will also help boost the retention and likelihood of survival for these vegetation complexes and associated fauna.

Included on the following page is the map showing Vegetation Complex within the City of Belmont.





Local Natural Areas within the City of Belmont are closely linked with the Swan River. The river acts as a corridor linking the Swan Coastal Plain to the Eastern Hills, thereby providing a vital link between these two bioregions. Within Belmont, Local Natural Areas have distinct biodiversity benefits, these values have the potential to be affected by planning and development decisions with buffer zone and catchment zones around these sites.

Specific biodiversity values of some of these reserves include:

- Garvey Park: Areas of biological significance within Garvey Park include closed sedge lands on the rivers' edge and a wetland area to the west of the Park.
- Tomato Lake: Bird surveys have identified the presence of 44 native bird species (Native Environmental Systems, 1997), with use of the lake by 6 species of diving, 7 species of dabbling and 9 species of wading birds. Long necked tortoises are commonly sighted in the lake. 38 native flora species have been recorded in the remnant bushland area (Taylor, 1999).
- Swan River Foreshore: 39 native flora species, 25 bird species and 3 reptile species have been identified along the foreshore between Goodwood Parade and the Sandringham Hotel (Ecoscape, 1995). The long necked tortoise and dugite are recorded species from Ascot Waters and Garvey Park. The green and golden bell frog and water rat (*Hydromys chrysogaster*) have also been recorded at Ascot Waters.
- Signal Hill Bushland: Signal Hill is a 3.87 ha remnant Banksia low woodland to low forest. 104 native plant species, 26 bird species and 3 reptile species have been recorded in the bushland (Trudgen, 1992) and (Keighery, 1993). Half of the bird species are nomadic or transitory visitors, using Signal Hill as part of their migratory route. The rainbow bee eater migrates south from Northern Australia and Indonesia, nesting in underground burrows.
- Perth Airport Bushland. Over 85% of Belmont's remaining native vegetation is located in the Perth Airport site and has been identified under Perth's Bush Forever Policy as regionally significant (Bush Forever Site 386). The Munday Swamp and surrounding bushland in the north of the area (286 hectares) and Forrestfield Bushland (224 hectares in the south eastern part of the site) are nationally recognised for their environmental and cultural values through their listing on the Register of the National Estate by the Australian Heritage Commission.

Of the four specific reserves/areas identified within the City as having significant biodiversity value, two are afforded additional protection being reserved under the MRS, one falls within the control of the Airports Act 1996 (but is also an identified Bush Forever site), with Signal Hill being designated a local reserve under the Town Planning Scheme.

While Signal Hill is not identified as a Bush Forever site and does not have metropolitan wide significance, it is of great significance to the City of Belmont. As such the principles of the site implementation guidelines of Bush Forever are still of relevance. Practice Note 17 of the Guidelines relate to Local Government Town Planning Scheme Reserves. This includes local government freehold land or Crown Reserves controlled and managed for various purposes by local government (including existing and proposed public utilities). The objectives are:

- To secure the long-term protection of bushland by amending, where appropriate, the purpose and management of local reserves to embrace conservation objectives.
- To seek to ensure that any development is compatible with bushland protection in non-conservation reserves.

The Guidelines recommend that in areas lacking a recognised conservation objective, the purpose of the reserve should be modified to require conservation as a purpose. Specifically the Guidelines recommend:

- *“IG 20 Bush Forever Sites that are local government and/or Crown Reserves should have their reserve purpose amended to include conservation.”*
- *IG 21 Local governments are encouraged to prepare master plans and management plans for local reserves to protect bushland and ensure that any proposed development (in accordance with the reserve’s existing purpose) is compatible with Bush Forever’s conservation objectives and achieves a reasonable outcome.*
- *Action 14 Local reserves (which are also Crown Reserves) already recognised for conservation will, in some instances, be given added planning security through Parks and Recreation reservation in the MRS (but this will not entail government acquisition).”*

Consequently it is recommended that Council seek the vesting of Lot 96 as a Local Scheme Reserve for the purpose of ‘Conservation’ and reclassification of Reserve 42189 from ‘Public Recreation’ to ‘Conservation’ in order to reflect the environmental importance of Signal Hill.

In a more general vein, planning issues relevant to the protection and management of biodiversity in the City of Belmont include:

- Identifying opportunities for the City of Belmont to work co-operatively with Westralia Airports Corporation and the Federal Government to retain, protect and manage conservation values on Perth Airport land. (As this is a major issue for the City of Belmont, the environmental issues associated with the Perth Airport land are addressed separately).
- Retaining and managing vegetation on Council reserves, and in compensating basins and drainage reserves.
- Working with utilities such as Westrail, Main Roads, Water Corporation and Western Power, to integrate consideration of wildlife corridor values into the management of infrastructure corridors where appropriate and feasible.
- Identifying opportunities to retain vegetation in proposed developments in Urban and Industrial areas that contain Local Natural Areas.
- Opportunities to retain vegetation on land zoned for industrial use will be rare unless there is declared rare flora (DRF) or something present on these areas whereby protection could possibly come from other legislation.

- Undertake a study to develop feasibility and concept plans for creation of vegetation corridors (by linking significant bushland) throughout the City of Belmont. In large part this may be achieved through finalisation of the City's Public Open Space (POS) Strategy.

Whilst the development of a strategy for the retention of existing native vegetation (or replacement value) was encapsulated in the Environment Plan 2005-2010, advice from officers at the Department for Planning and Infrastructure has indicated that whilst offsets are sought for Bush Forever sites, offsets are not sought for private owned land zoned urban.

Whilst some countries do impose "no net loss" as a policy principle in planning documents, this approach has not been tested in Western Australia and requires substantial research and resourcing prior to any such system being implemented. Moreover, it is likely to be resisted where land is already zoned for development and may be somewhat impractical and unreasonable in some instances. There is also concern that a condition which imposes an off-site offsets without a developer's consent may be ultra vires (not legal).

Until such time as the state government gives clear direction on the matter of environmental offsets on private land it is considered that the City could look at opportunities to use native species landscaping on private developments and public streets to link existing natural areas.

4.2. The Swan River

The City of Belmont abuts the upper Swan River and encompasses 11 kilometres of Swan River foreshore. The condition of the foreshore area varies considerably with some areas in good condition, some restored areas including toe and bank regrading and stabilisation, weed removal and revegetation with native species and other areas requiring treatment including weed removal, revegetation and stabilisation. The majority of the river foreshore area is reserved for recreation.

As detailed within the planning context section of this Strategy, there are numerous statutory requirements under the Swan and Canning Rivers Management Act and the Statement of Planning Policy 2.10 (Swan Canning River System).

In order to provide best practice and to fulfil statutory obligations, in looking at any development or rezoning proposal regard must be had to:

- Incorporating river and catchment management objectives, priorities and actions into the statutory planning process.
- Managing drainage where appropriate.
- Facilitating local industry adoption of best management practices.
- Involvement in river and catchment management activities.
- Ensuring that all activities which can potentially impact on rivers adopt best management practice standard, in accordance with 'duty of care' responsibilities and good corporate citizenship.

- Protection of foreshore vegetation and management of public access, erosion and weed control and the restoration and revegetation of areas. Access for recreational pursuits such as fishing and boating need to be managed carefully so as to avoid further disturbance and erosion.
- Recognition of the importance of the river for transport, commerce, tourism and leisure as well as its conservation values.
- Enhancement of the appearance and function of existing recreation, tourism and commercial nodes and proposed nodes identified in an adopted Swan-Canning precinct plan.
- Protection of places of cultural significance.
- Promotion of new riverside development appropriate to its surroundings and respectful of the unique river setting.
- Protection and enhancement of river views in redevelopment projects.
- Ensuring that development complements the natural landforms and provides opportunities for public access to and enjoyment of the river.

The Swan and Helena River Management Framework is likely to influence the planning and design of future development and management of the 11km of Swan River foreshore within the City of Belmont. The Framework identifies areas and precincts as significant within the City of Belmont. It also indicates several sites in the City of Belmont requiring attention. Specific measures arising for the foreshore include a review foreshore management plans following finalisation of the Swan and Helena River Management Framework Study and the revegetation of foreshore slopes with locally native melaleucas and eucalypts with appropriate understorey.

4.3. Ascot Residential and Stables Zone

The Ascot area is historically the home of horse racing in Perth. The Western Australian Turf Club (now operating as Perth Racing) has a proud history of hosting thoroughbred racing in the state for over 150 years and runs the two riverside racecourses of Ascot and Belmont Park, both situated minutes from the city of Perth. Ascot Racecourse is on the State Register of Heritage Places. The racecourse includes two wetlands for the treatment of nutrient enriched stormwater runoff from the Mathieson Street Drain.

The stables precinct includes the area to the east and south east of the racecourse bounded by the River, Great Eastern Highway and the Tonkin Highway including several hundred properties many of which include horse stables. The precinct is listed on the City of Belmont Municipal Inventory and is being considered for listing by the National Trust.

The Residential Stables precinct has been limited in the City of Belmont Town Planning Scheme No.14 to a restricted area bound by Hardey Rd to the south, Great Eastern Highway to the east and the Tonkin Highway to the north. The western boundary is formed by the Swan River. No other stables are permitted outside this precinct and those few existing “non-conforming” stables will eventually cease to exist. Non-conforming stables will not be permitted to expand and once the registrations lapse no renewals will be given. The trend is that these stables properties are being converted to unit type developments.

The key environmental impacts associated with the Ascot Stables Precinct are the impact of nutrients from horse waste on the quality of surface and groundwater drainage entering the Swan River.

In regard to this:

- The Ascot residential/stables precinct is already very near saturation level with respect to horse stables. There are very few properties left within the stable precinct that do not have stables but have the potential to develop stables on site.
- Additionally, the City now requires a greater land area per horse than previously. This effectively reduces the number of horses able to be kept throughout the stable precinct. Under the City's Local Laws:
 - Increased stall area per horse to reduce the number of horses able to be kept on each property;
 - concrete floor stables are drained to the sewer (Clause 10(1)(b));
 - sand floor stables are well drained, underlain by at least 300 mm of crushed limestone, and at have least 80% of the area covered by a roof (Clauses 10(2) (a), (b), &(h)) to minimise the potential of rain washing nutrients into the ground water ;
 - all sand floor yards are underlain by at least 300 mm of crushed limestone (Clause 14(1)(b)) to act as a filter and neutraliser of nutrients; and
 - a system for the disposal of stable waste (including soiled bedding and manure) is in place to prevent accumulation and leaching of waste (Clause 11).

Horse stables must reapply to the City of Belmont for stables licences every year and are inspected at a minimum frequency of two times per year. Any property that fails an inspection is given a period of time to comply or the registration is removed and legal action taken for the non compliance.

The City is actively imposing conditions by way of local laws and the enforcement of state regulations to reduce the potential for nutrients to enter the river. Officers from the City's Planning Services, Engineering, Environmental Health, Works and Environment Sections are working together to improve water quality within the precinct. Relevant actions are contained within the City of Belmont Environment Plan.

The City currently monitors stormwater quality in a number of catchments, including the Ascot stables catchments and Ascot Racecourse lakes. The former have been monitored since 1999, and the latter since 2005. Action is underway to improve water quality within the Ascot Stables area through a review of the *Health (Stables Premises) Local Laws*, researching 'best practice' requirements to ensure protection of ground and surface water quality. A recent discovery was that the initial concerns about the nutrient levels in certain drains (eastern portion of area) being caused entirely by horse manure on the roads appear to be incorrect. The more probable reason is a result of the nature of the ground water movement, the clay subsoil, and the existence of old subsoil drains that leach into the stormwater system when the ground water level rises in the area, creating localised "hot spots". These drains will be catching and directing groundwater that has been contaminated by years of septic systems that have been used in these areas. Fortunately the area was deep sewerred approximately 5 years ago so no further leaching from this source into groundwater and the stormwater system should occur following connection by all residents and subsequent decommissioning of septics.

The City will be actively pursuing connection to the sewer of properties that are still on the old septic system, through liaison with the Water Corporation.

4.4. Airport

The Perth Airport facility has special significance to the City of Belmont, particularly in terms of economic development, tourism and a potential site for expanding commercial, light industrial, accommodation and related land use activities. The Perth Airport land also has regional significance for the City of Belmont and the Perth Metropolitan Region as an area with outstanding natural conservation values related to flora, fauna, natural heritage and Aboriginal heritage.

The Perth Airport Environmental Strategy identifies a number of future expansion, development and land use changes that will have a significant and permanent impact on the environmental values of the sites and on biodiversity values in the region.

The key environmental issues associated with the Perth Airport and that are relevant to the City of Belmont's Environmental Planning Strategy include:

- ***Vegetation Protection***

The clearing of vegetation identified in the Perth Airport Environmental Strategy for future runway duplication and expansion, airport facilities and proposed changes in land use (commercial, light industry, accommodation) will have a significant impact on biodiversity values in the City of Belmont.

It is considered that the loss of native vegetation and gradual degradation to this extent will significantly reduce the areas potential to conserve regionally significant vegetation (and fauna habitat) and may have off-site impacts in the City of Belmont related to a measurable decline in biodiversity values such as native bird populations and seed resources.

As such, it is of key importance that the City continues to lobby the Airport to ensure that all precincts detailed under the Master Plan be progressed using a structure plan and planning guidelines approach, to ensure that any areas of vegetation and wetlands containing conservation values are identified and fenced to provide certainty and ensure that future developments will be able to integrate with these environmental values.

- ***Water Quality and Wetland Protection***

Development proposals on airport land are also likely to have significant impacts on water quality and wetlands both on site and off-site (City of Belmont drainage system, Swan River). As such it is imperative to ensure that a high level of environmental management, contingency planning and monitoring be in place for future proposals. Best practice stormwater management should be encouraged.

- ***Noise***

As detailed under Section 3.3.12.9 (Landuse Planning in the Vicinity of Perth Airport), the City has made provision within its planning scheme in accordance with the requirements of the statement of planning policy. This includes actions such as requiring notification on titles of potential impact of aircraft noise, insulation and design requirements and provision of information.

- **Air Pollution**

The increase in air traffic movement associated with the duplication of the runway air traffic may result in an increase of air pollution related to carbon monoxide, unburnt hydrocarbons and other organic compounds associated with the combustion of fossil fuels. However, as technology changes this may not eventuate. The situation should be monitored through the Airport Environment Consultative Group.

4.5. Industrial Land

Belmont includes a significant number of industrial properties. Given the increasing land values, the trend is for heavy industry to move out of central Belmont and be replaced by commercial /office development. This is being actively encouraged by the City through initiatives such as the Belmont Mixed Use Area Study and the associated Amendment No. 52 to the planning scheme.

Evidence suggests that industrial processes and associated waste management practices have the potential to pollute soils and groundwater if not managed appropriately. For example, surveys of small to medium enterprises in Perth in the 1990's indicated that the cumulative effect of chemical storage, handling and waste management practices and potential for accidents poses a risk to the health of the Swan and Canning Rivers (Swan River Trust 2000). These impacts, if severe and long term, can create a legacy of issues such as contaminated sites requiring remediation before any change in land use is permitted.

In accordance with legislative requirements, assessment of sites suspected of being contaminated should be carried out prior to any change in land use. Where further investigation confirms that former industrial sites are contaminated this must be reported to the Department of Environment and Conservation. A memorial will then be placed on the title of the property until further investigation, remediation, monitoring and auditing is carried out and submitted to the Department of Environment and Conservation for assessment and reclassification of the site.

4.6. Central Belmont Mixed Use Area

The redevelopment of the Central Belmont Mixed Use Area generally has positive environmental outcomes as potentially polluting industrial land use activities are progressively replaced with commercial showroom, office and residential land uses.

The key environmental issues that are associated with this shift in land use are legacy issues related to prior land uses. These generally relate to potential contaminated site issues and associated lag phase impacts on stormwater drainage water quality. Given the variety of past industrial uses in this area, contamination issues will vary considerably from site to site. The Department of Environment and Conservation will be the lead agency under the Contaminated Sites Act 2003 and the Contaminated Sites Regulations 2006, both of which come into force from 1 December 2006.

The Central Belmont Mixed Use area is experiencing strong development growth and changing land-use from industrial to commercial/showroom and office. The changes in land-use can provide a catalyst for assessment and if necessary any remediation of former industrial contaminated sites as discussed in the previous section 4.6 on Industrial Land.

4.7. Traffic

Belmont includes several key metropolitan transport corridors including Great Eastern Highway, Tonkin Highway, Orrong Road and Leach Highway.

The Primary freight network, as defined in the Freight Transport SPP, comprises both freight roads and freight rail lines, with routes having been designated on the basis of importance for the movement of freight to and within the Perth Metropolitan Region. As detailed in Section 3.3.12.7 (Draft State Industrial Buffer Policy), the Kewdale-Hazelmere region has been identified as a strategic precinct for the freight industry in Perth and Western Australia.

In regard to traffic noise, the City has been proactive in addressing the potential impacts of road traffic in a number of instances (refer Section 3.3.12.11 (Road and Rail Transport Noise)). It is recommended that the City continues to apply such standards and expand them to similarly impacted areas. Consideration should also be given to incorporating such standards into the Scheme rather than reference within Local Planning Policies.

4.8. Public Open Space

A separate Open Space Planning Strategy is being prepared in this regard. However, in brief the network of existing drain reserves provides an opportunity for increasing useable open space provision particularly within the business area. It is recommended that consideration should be given to the development of a detailed Open Space Upgrading Strategy of the drain reserves within the proposed Mixed Business area. Such a Strategy would have to have regard for safety and security, functionality and legibility and requires further research and liaison with impacted stakeholders. It should also address which selected reserves should be vested in Council rather than the Water Corporation and what remedial works if any is required to address existing pollutants.

4.9. GIS Mapping information

The City of Belmont operates a GIS system to provide high quality mapping data to support planning, decision-making and operations within its boundaries. The data layers cover a range of environmental parameters including those relating to the physical environment (such as catchment boundaries, Acid Sulfate Soil Risk), biotic environment (such as vegetation complexes), conservation classifications (such as EPP lakes) and monitoring sites (such as Ribbons of Blue, DEC and Water Corporation monitoring sites).

As a part of the Local Biodiversity Planning Process, all three participating Local Governments (Belmont, Bassendean and Bayswater) will undertake a thorough review of their GIS data layers in relation to environmental parameters as a preliminary to establishing rigorous biodiversity targets.

4.10. Urban Water Management

The City of Belmont joined the Water Campaign in October 2004. The Council has set water quality objectives for corporate and community which will be achieved through the development of Action Plans commenced in 2006.

Given the current potable water supply crisis, opportunities for implementation of water sensitive urban design in commercial and residential development should continue to be encouraged in the City. This will continue to reduce the volume of stormwater runoff from impervious areas and improve water quality entering the City's stormwater system as well as reduce the need for irrigated water supply.

4.11. Statutory Requirements – Town Planning Scheme Review

As detailed in a number of statutory and strategic documents, there is increasing emphasis on transit oriented design and use of alternate modes of transport including bicycles.

Whilst the Town Planning Scheme and the associated Housing Strategy encourages higher density development in the vicinity of facilities such as public transport, the Housing Strategy is being updated and needs to quantify what standards must be put in place to ensure that optimum impacts are achieved.

In regard to bicycle facilities, the Scheme text should be updated to reflect the need for bicycle parking and end of trip facilities rather than continuing to emphasise car parking requirements.

5. RECOMMENDATIONS

A number of key recommendations arise from examination of the planning context and major local issues. These are as follow:

- That the sustainability checklist should be applied to any consolidated or new local planning scheme.
- That the City of Belmont should work co-operatively with Westralia Airports Corporation and the Federal Government to retain, protect and manage conservation values on Perth Airport land.
- That Council seek the vesting of Lot 96 as a Local Scheme Reserve for the purpose of 'Conservation' and reclassification of Reserve 42189 from 'Public Recreation' to 'Conservation' in order to reflect the environmental importance of Signal Hill.
- That vegetation on Council reserves should be retained and enhanced.
- That the City should work with utilities such as Westrail, Main Roads, Water Corporation and Western Power to integrate consideration of wildlife corridor values into the management of infrastructure corridors where appropriate and feasible.
- That the City should undertake a study to develop feasibility and concept plans for creation of vegetation corridors (by linking significant bushland) throughout the City of Belmont.
- That consideration should be given to the development of a detailed Upgrading Strategy of the drain reserves within the proposed Mixed Business area. Such a Strategy would have to have regard for safety and security, functionality and legibility and requires further research and liaison with impacted stakeholders. It should also address which selected reserves should be vested in Council rather than the Water Corporation and what remedial works if any is required to address existing pollutants.
- That, until such time as the state government gives clear direction on the matter of environmental offsets on private land, the City should use opportunities to require native species landscaping on private developments and public streets in order to link existing natural areas.
- That the local planning scheme, associated development controls and processes should:
 - Incorporate river and catchment management objectives, priorities and actions.
 - Facilitate local industry adoption of best management practices.
 - Ensure that all activities which can potentially impact on rivers adopt best management practice standard, in accordance with 'duty of care' responsibilities and good corporate citizenship.
 - Protect foreshore vegetation and management of public access, erosion and weed control and the restoration and revegetation of areas. Access for recreational pursuits such as fishing and boating need to be managed carefully so as to avoid further disturbance and erosion.
 - Recognise the importance of the river for transport, commerce, tourism and leisure as well as its conservation values.
 - Enhance the appearance and function of existing recreation, tourism and commercial nodes and proposed nodes identified in an adopted Swan-Canning precinct plan.

- Protect places of cultural significance.
 - Promote new riverside development appropriate to its surroundings and respectful of the unique river setting.
 - Protect and enhance river views in redevelopment projects.
 - Ensure that development complements the natural landforms and provides opportunities for public access to and enjoyment of the river.
 - Continue to encourage opportunities for implementation of water sensitive urban design in commercial and residential development.
-
- That the City continues to operate a Graphic Information System to provide high quality mapping data to support planning, decision-making and operations within its boundaries.
 - That the City continues to ensure that the key environmental impacts associated with the Ascot Residential and Stables zone are addressed and improved through ensuring compliance with the City's Local Laws:
 - That the City continues to be proactive in addressing potential impacts of road traffic. Consideration should be given to incorporating such standards into the Scheme rather than reference within Local Planning Policies.
 - That the Housing Strategy be updated to quantify what standards must be put in place to ensure that optimum impacts are achieved through location close to facilities such as public transport.
 - That the Scheme text should be updated to reflect the need for bicycle parking and end of trip facilities.

6. REFERENCES

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Table 1 : Matrix Identifying Relevant Acts of Parliament or Policies that affect, either directly or indirectly, the key issues identified in the Draft Belmont Environment Planning Strategy

	Biodiversity	Foreshores	POS and Drainage Reserves	Industrial Land	Perth Airport	Energy Use Central Belmont Mixed	Traffic Noise	Stables Precinct
International Treaties and Agreements								
Japan Australia Migratory Birds Agreement (Australian Treaty Series 1981 No 6)								
China Australia Migratory Birds Agreement (Australian Treaty Series 1988 No 22)								
United Nations Framework Convention on Climate Change (Kyoto Protocol)								
Federal Legislation and Policies								
Environmental Protection and Biodiversity Conservation Act 1999								
National Local Government Biodiversity Strategy								
National Weeds Strategy								
National Water Quality Management Strategy								
National Greenhouse Strategy								
State Legislation								
Contaminated Sites Act								
Environmental Protection Act 1986								
Unauthorised Discharges Regulations								
Health Act 1911								
Local Government Act 1995								
Planning and Development Act 2005								
Swan River Trust Act 1988								
Metropolitan Water Supply Sewerage and Drainage Act								

Appendix 1 (continued): Matrix Identifying Relevant Acts of Parliament or Policies that affect, either directly or indirectly, the key issues identified in the Draft Belmont Environment Planning Strategy								
	Biodiversity	Foreshores	POS and Drainage Reserves	Industrial Land	Perth Airport	Central Belmont Mixed Use Area	Traffic Noise	Stables Precinct
State Environmental Bills & Proposed Legislation								
Proposed Biodiversity Conservation Act (draft still to be released)								
Proposed Rivers Management Bill								
State Policies and Strategies								
State Planning Strategy								
State Greenhouse Strategy								
State Water Quality Management Strategy								
Bush Forever								
SPP 2.8 Draft Bushland Policy for the Perth Metropolitan Region								
SPP 2.9 Draft Water Resources								
Riverplan 2004								
Statement of Planning Policy No 2: Environment and Natural Resources Policy								
Environmental Protection (Swan and Canning Rivers) Policy 1998								
Proposed Framework for Managing Acid Sulphate Soils								
Western Australia's Weed Plan 2001								
Environmental Weed Strategy for Western Australia 1999								
SPP Road and Rail Transport Noise (Draft)								
SPP 4.1 State Industrial Buffers (Draft)								
SPP Metropolitan Freight Network (Draft)								
Regional Policies and Strategies								

Appendix 1 (continued): Matrix Identifying Relevant Acts of Parliament or Policies that affect, either directly or indirectly, the key issues identified in the Draft Belmont Environment Planning Strategy								
	Biodiversity	Foreshores	POS and Drainage Reserves	Industrial Land	Perth Airport	Central Belmont Mixed Use Area	Traffic Noise	Stables Precinct
Draft Swan Region Strategy for Natural Resource Management (NRM)								
Perth Biodiversity Project								
Local Government (NRM) Policy Development Project								
Draft Perth Air Quality Management Plan								