

Council Policy

Conservation of Native Vegetation and Habitat



Legislation/local law requirements	<i>Local Government Act 1995</i> <i>Section 2.7 The Role of Council.</i> <i>Environment Protection Act 1986 (WA)</i> <i>Environment Protection and Biodiversity Conservation Act 1999</i> <i>Biodiversity Conservation Act 2016</i> <i>Pest Plants Local Law</i>
Relevant Delegation	N/A
Related policy procedures and documents	Local Planning Policy No. 1 Landscape Feature and Tree Retention Local Planning Policy Development within Special Rural Zones Policy – Development within the Special Residential Zones City of Kwinana Local Planning Scheme No. 2 Environment Strategy 2024-2034 Local Biodiversity Strategy 2022 Natural Areas Management Plan 2024-2034 Urban Forest Strategy 2024-2044 Environment and Sustainability Education Plan 2025-2030

Introduction

The City of Kwinana recognises the value in management and retention of bushland reserves for biodiversity and conservation outcomes for our community. It has committed to protecting and enhancing biodiversity with the target of retaining 30 per cent or more of pre-European level vegetation in Local Natural Areas.

Purpose

The purpose of this policy is to preserve the bushland character of the City and strengthen the system enacting reservation and conservation of remnant endemic vegetation and habitat.

Objectives

- To retain and protect trees, endemic vegetation and landscape features through the City's planning framework.
- To retain significant visual landscape and vegetation features, for the preservation of natural amenity and landscape character.
- To retain representative samples of all different vegetation complexes and communities within the City of Kwinana.
- To retain endemic vegetation with minimum good condition and with adequate ecological linkages to be ecologically sustainable and supportive of endemic flora and fauna.
- To protect bushland, local natural areas and ecological linkages from threats such as environmental weeds, feral animals and disease.
- To recognise the importance of community involvement, raising awareness and encouraging local participation in biodiversity conservation efforts.

Scope

The scope of this policy will include all bushland, local natural areas and ecological linkages within the City of Kwinana and will affect any entity intending to clear native vegetation.

Policy Provisions

Definitions

Ecological Linkages – areas of native vegetation or natural landscape features that link, or provide stepping stones to, natural areas supporting habitat, biodiversity or ecological functions (such as remnant bushland and wetlands). Ecological linkages maintain some ecological functions that assist with the local movement of flora and fauna, provide habitat function and counter the effect of habitat fragmentation.

Endemic – species of flora and fauna from a specific geographic region.

Clearing – the killing, destruction, removal, severing or ringbarking of trunks or stems or the doing of any other substantial damage to some or all of the native vegetation that causes the killing or destruction of, or any substantial damage to, some or all of the native vegetation.

Habitat – the natural environment in which an animal or plant lives, and specifically the occurrence of tree hollows, or dead logs on the ground that provide shelter.

Hazardous / Dangerous – a tree, limb or plant that is deemed by the City to present an immediate or foreseeable risk to the public.

Local Natural Area – bushland, wetlands, foreshores, coastal areas and any areas in a near-natural state with native species, excluding Bush Forever sites, Department of Biodiversity Conservation and Attractions managed lands, and Regional Parks.

Minimum Good Condition – vegetation classification under the Keighery vegetation condition scale.

Native Vegetation – indigenous aquatic or terrestrial vegetation. Includes vegetation that is remnant, or has been planted or sown where the planting or sowing was undertaken as a requirement of the *Environmental Protection Act 1986*, *Planning and Development Act 2005* or other written law.

Qualified / Authorised Officer – for the purpose of this Policy refers to the City's Environmental Officer(s).

Remnant – native trees, shrubs, grasses and other native plants and flora which remain following the widespread clearing of native vegetation across a region.

Remnant Bushland – patches of native bushland of a size large enough to retain ecological values into the future and/or to provide significant habitat.

Vegetation Complexes and Communities – A classification system utilised by State and Local Governments to plan protection of ecological communities that originally existed.

Wetlands - areas that are permanently, seasonally or intermittently waterlogged or inundated with water. This water can be fresh or salty, flowing or still and the wetland can occur naturally, or may be artificially created.

Policy

1. Native Vegetation, other than in areas for specific approved developments (buildings, services, roads, fences etc.) must be retained.
2. All native vegetation (dead and alive) on public reserves must be retained, unless deemed hazardous / dangerous through the appropriate assessment process. Removal of significant vegetation or trees will require further assessment and the written approval of a Qualified and Authorised Officer, or a clearing permit granted under the *Environmental Protection Act 1986*.
3. The City will support the planting of endemic species within City thoroughfares and landscapes, developments and on private property.
4. The City will advocate for the retention of larger areas of remnant bushland, especially areas containing poorly reserved ecological communities in order to increase sustainability and habitat value.
5. The City will retain and increase Ecological Linkages, based on the proximity of natural areas to identified Regional and Local Ecological Linkages, and the Peel Main Drain and its associated Sub Drains.
6. The City will systematically assess and rank Local Natural Areas ('**LNAs**') based on their ecological value to prioritise conservation efforts.
7. The City will formulate tailored actions to protect and manage identified LNAs, focusing on sustaining the region's diverse flora and fauna.
8. The City does not support the clearing, or further clearing of, native vegetation within Conservation Category and Resource Enhancement wetlands or their 50m buffers.
9. Livestock and large farm animals (horses, cows, sheep, alpacas, goats etc.) are not permitted to graze on native vegetation or within areas of native vegetation on any landholding, without a valid Planning Approval from the City or a valid clearing permit granted under the *Environmental Protection Act 1986*.
10. The community will be informed about the risk of environmental weeds on their property, how to control them and stop them spreading into surrounding bushland and natural areas.
11. Areas of *Phytophthora* sp. (dieback) within the City shall be mapped and natural areas protected from infection, through education, and phosphite treatment, where necessary.
12. All developmental activities in the City of Kwinana with the potential to spread *Phytophthora* must include conditions requiring the implementation of *Phytophthora* management procedures.
13. Landholders will be encouraged to preserve bushland and wetland on private property through planning conditions and the Biodiversity Stewardship Program.
14. The City is committed to developing and implementing local planning policies that provide for the conservation and enhancement of the City's biodiversity and native vegetation areas whilst acknowledging the need for strategic planning and development.
15. Where development of land or clearing of vegetation has occurred without valid approval from the City (statutory or written) and the purpose or nature of the development is not provided for under the provisions of a local planning policy, the City will undertake compliance action to restore the land to its pre-developed (pre-

cleared) state. This may result in a requirement for the landowner to undertake revegetation and rehabilitation works for a period of up to 5 years.

16. The City reserves the right to prosecute any company, legal entity or individual for undertaking development or clearing in contravention of the *Planning and Development Act 2005*.

OFFICER USE ONLY

Officers may amend this section without council approval.

Responsible Team	Environment and Health	
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