



2 November 2017

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Clearing Regulation

Department of Water & Environmental Regulation

Locked Bag 33 Cloisters Square

Perth WA 6850

CPS 7781/1 Permit holder: Western Australian Land Authority T/A Landcorp. Locality and Local Government Authority: Lot 3240 on Deposited Plan 34515, SHENTON PARK City of Nedlands.

The Urban Bushland Council strongly recommends that this application for a clearing permit be refused.

We submit that the proposal is seriously at variance to Clearing Principles (b), (d), (e), (g), (h); and is at variance to Principle (a). Therefore the native vegetation should not be cleared.

Level of community concern

The proposal for clearing 1.52ha is also a matter of considerable community interest and concern and it is not for essential infrastructure or other essential purposes. Furthermore we submit that the effective clearing and degradation of native vegetation is **much greater than 1.52ha** due to edge effects and so-called reduction of fuel load in the understorey. Nearly all the native vegetation will effectively be cleared or seriously degraded.

Purpose of clearing

The stated purpose of bushfire hazard reduction is misleading to the point of manipulated bias by Landcorp in seeking approval for clearing for the construction of **two high rise buildings within the ecological linkage**. Thus the real purpose is hidden and this is dishonest and is totally unacceptable.

Landcorp's attitude

During Landcorp's long consultation process, the Urban Bushland Council, the Friends of Underwood Avenue Bushland, the Friends of Shenton Bushland and importantly the City of Nedlands, all consistently objected to the construction of buildings in the ecological linkage and called for revision of building layout so that the linkage is fully protected, restored, and the car park revegetated. This advice given in good faith in the public interest and based on science, facts and requirements of Bush Forever policy - which maps this site as a regionally significant ecological linkage – has been totally ignored. This is a totally unacceptable abuse of process by Landcorp.

Assessment under Clearing Principles

Native vegetation should not be cleared if

- (a) *it comprises a high level of biological diversity;*

The site comprises Banksia woodlands which are inherently biodiverse, being a key feature of our biodiversity hotspot for conservation priority. Indeed we still do not even know of the extent of diversity of species such as invertebrates, reptiles and fungi which are key species in this complex ecosystem. Landcorp's GHD report cites 67 native flora species for the site. This is a high level of species diversity for flora.

While the area of concern in the 3.4ha ecological linkage may be regarded by some as relatively small, it does comprise a high level of biological diversity and has important ecological function in the landscape.

Therefore the proposal is at variance to Clearing Principle (a) and a Clearing Permit should be refused.

(b) *it comprises the whole or a part of, or is necessary for the maintenance of a significant habitat for fauna indigenous to Western Australia;*

Black Cockatoo habitat: The site is part of the very significant foraging habitat classed as **critical habitat for major roost sites** for both Carnaby's Cockatoo and the Forest Red-tail Black Cockatoo as it lies within 4km - and most is within 1km - radius of their respective major roost sites. A report by DPAW scientists defines 'critical habitat' for Carnaby's cockatoo around roost sites for foraging.

Notably the site species list shows the presence of at least 17 species which are known to be used for foraging by Carnaby's. These areas of habitat must be retained.

Both these Black Cockatoos are listed as endangered species.

Please note that the PVG environmental report to Landcorp is incorrect. The site **does** provide foraging habitat for both these species: they have been observed there many times by Margaret Owen who monitors these roost sites, and the pattern of chewed nuts is indicative of feeding by these Black Cockatoo species.

Landcorp has identified 29 trees as potential breeding habitat for Black Cockatoos. This is a very significant attribute which must be retained and protected together with the nearby foraging habitat. There is evidence that Red-tail Black Cockatoos may be nesting in the nearby area as mating activity has been observed and recorded by Margaret Owen.

Small passerine bird habitat: The bushland linkage is valuable for many other species such as small birds, including Variegated Fairy Wren (P3), and species which are disappearing from urban areas. These small birds require understorey vegetation cover with low shrubs for foraging and for safe movement across the landscape. The site is critically important in providing this cover between the 2 Bush Forever sites but Landcorp's proposal includes removal of understorey in most of the 3.4ha linkage. The justification given is bushfire risk reduction. It is somewhat dishonest to state this without stating that the proposal includes clearing for high rise buildings to be located **in the linkage**.

Notably advice from DPAW concerning the importance of retaining the vegetation linkage has been ignored:

'WA Parks and Wildlife recognises the need for greater protection of a number of small scrub passerine species. These small birds are disappearing from urban areas. Some are solely dependent on bushland and the vegetation linkages between Bush Forever sites

are critical to their survival and thus must be retained.’ (DPaW March 2015)

Therefore the proposal is seriously at variance to principle (b) and on these grounds alone the Clearing Permit should be refused.

(d) it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community;

Banksia woodland TEC: The vegetation comprises Banksia Woodland which is listed under the EPBC Act as a TEC in the category of ‘endangered’. The Approved Conservation Advice for the listing, which now applies to State agencies and to local government, states that the conservation objective is to **protect** the ecological community **to prevent further loss of extent**, and also to **restore** the ecological community. This means no more clearing of the Banksia Woodlands.

Landcorp should have recognised this and modified its plans so that there are no buildings, roads, car parks and clearing in the ecological linkage on the western edge of the RPH redevelopment site. There is plenty of scope to do this.

Notably Landcorp spoke of retention of ‘heritage’ trees (eg Box trees) in the redevelopment but has failed to recognise, respect and retain the significant natural heritage on the western edge of the site. This is unacceptable. The TEC is proposed to be cleared resulting in a net loss and there is no proposal to restore the TEC. This is contrary to the federal Conservation Advice and should not be permitted.

Therefore the proposal is seriously at variance to principle (d) and a Clearing Permit should be refused.

(e) it is significant as a remnant of native vegetation in an area that has been extensively cleared

More than 90% of the original extent of Banksia woodlands in the City of Nedlands has been cleared. The same applies for Claremont, Cottesloe, Fremantle, Mosman Park, Peppermint Grove, and Subiaco Council areas in the western suburbs. (*Refer Table E2, Extent and decline of Banksia Woodlands of the Swan Coastal Plain, page 100, EPBC Act Conservation Advice approved 26 August 2016*).

Thus the area has been very extensively cleared and no further clearing should be permitted in all these Council areas.

The site comprises the Karrakatta Complex Central and South. This Heddle complex has only 1.8% actually secured for conservation, and only 8% is proposed for conservation under Bush Forever (*See Appendix C, EPA s16(e) Interim strategic advice to the Minister for Environment, July 2015, Perth and Peel @3.5 million*). This is below the Bush Forever’s ‘CAR’ reserve system minimum target of 10%. On these grounds alone every patch remaining must be conserved and protected.

The location of the native vegetation proposed to be cleared is also highly significant, being the vegetated link between two very significant Bush Forever Areas. The ecological functioning of this link is very significant: providing for all types of seasonal and other fauna movement. Thus the importance of retaining and enhancing this ecological link in a mostly fragmented and over cleared landscape is very high.

Therefore the proposal is seriously at variance to principle (e) and a Clearing Permit should be refused.

(g) the clearing of the vegetation is likely to cause appreciable land degradation;

Clearing of most of the linkage and construction of the winding roads within the linkage will change the hydrology and landscape characteristics (slope etc) and bring in edge effects and disturbance of vegetation root systems, weeds and dieback risk. The very good condition vegetation in the southern part of the linkage will be seriously disturbed and degraded. It is well known that Banksia Woodlands are very vulnerable and sensitive to such disturbance. The proposed reduction and clearing of the understorey based on the fire risk reduction will effectively degrade the whole linkage. As stated above, Landcorp is seriously understating the purpose of clearing which is for location of buildings in the linkage. This is unacceptable.

Therefore the proposal is seriously at variance to principle (g) and a Clearing Permit should be refused.

(h) the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area;

The ecological linkage value of the site is of critical importance to 4 Bush Forever Areas. The site is part of the regionally significant and well recognised ecological linkage from Bush Forever Areas of Kings Park to Shenton Bushland to Underwood Avenue Bushland to Bold Park. This linkage is documented in Bush Forever Vol. 2, pages 71-74 as Perth Greenways Linkage 99.

Linkages such as at this site provide habitat and foraging for movement of large birds such as black cockatoos, small insectivorous birds, insect pollinators, invertebrates and ground fauna. After fire and extreme weather events such as the devastating hail storm which stripped parts of Kings Park and other parts of Nedlands a few years ago, restoration of fauna including birds, invertebrates, reptiles and pollen carriers from refugia is essential via linkages.

Degradation and any loss whatsoever of the linkage vegetation and ecological function at this Shenton site will result in a detrimental impact on the environmental values of the two adjacent Bush Forever sites. Indeed the objective for Banksia woodlands is for these linkages to be restored and enhanced – thus increased in ecological function in order to help maintain the diversity and ecological function of the two adjacent Bush Forever Areas: Shenton Bushland and Underwood Avenue Bushland.

Therefore the proposal is seriously at variance to Principle (h). On this basis alone, the Clearing Permit should be not be permitted for any clearing at all in this regionally significant linkage.

Representatives of the Urban Bushland Council will appreciate the opportunity to discuss these matters further with you. We may be contacted by email: ubc@bushlandperth.org.au or by phone direct to me on 9444 5647 or to our Secretary on 9381 1287.

Yours sincerely

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