



2 July 2014

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Clearing Regulation

Department of Environment Regulation

Locked Bag 33

Cloisters Square

Perth WA 6850

Dear Sir/Madam,

**Submission – Application for Clearing Permit Advertised 16 June, 2014 in “*The West Australian*” (CPS 6135/1)
(J. Chaplin, A and G Kourtesis and L. Stambelos, Area Permit, Lot 1983 on Deposited Plan 115765, Bullsbrook, City of Swan, agriculture, 58.5 ha, (CPS 6135/1)).**

The Urban Bushland Council (UBC) presents the following submission regarding the abovementioned Application for a Clearing Permit.

The UBC obtained the standard information made available by the Department of Environment Regulation regarding this Application for a Clearing Permit – that being little more than some aerial images and the very limited information contained on a copy of the Form C1 and this limits our capacity to provide detailed comments on the site itself. We have limited resources when it comes to doing our own ground surveys and many areas subject to Clearing Permit Applications are fenced off private property and/or only accessible by 4WD vehicles.

It would be helpful if some kind of basic description of the site's attributes with regard to vegetation cover and topography were provided along with information regarding the presence or otherwise of wetlands. The UBC accepts that landholders are not necessarily particularly knowledgeable with regard the description of natural features of the landscape but the dearth of relevant site-specific information generally made available in this process is disappointing. The UBC has complained previously about the difficulty involved in navigating the DER system to find aerial imagery and other data associated with Clearing Permit Applications and this has proved frustrating once again. This should not be an issue when the public is purportedly being given an opportunity to comment.

TEC nomination

We would make the point at the outset that the UBC is fundamentally opposed to the clearing of bushland on the Swan Coastal Plain, especially in Banksia woodlands and in wetlands, and takes the strong view that it should not be permitted in anything other than exceptional circumstances. Notably under the Strategic Assessment Perth-Peel Region, the TEC nominated Banksia woodlands of the Swan Coastal Plain IBRA Region are being considered to be listed under the EPBC Act. This nomination is on the 'Federal Priority Assessment List' (FPAL) and is to be assessed for listing by December 2014.

It is also our strong view that the proposed clearing of such a large area of native vegetation (58.5 hectares) on the eastern side of the Swan Coastal Plain should be ruled out as being environmentally unacceptable in accordance with Bush Forever policy that there is a general presumption against clearing on the eastern side of the Swan Coastal Plain (*Bush Forever Vol 1: page xiv December 2000*). At very least it should be subject to formal environmental impact assessment wherein the site is subject to appropriate environmental surveys and the public is given an opportunity to comment thereupon.

This being the case, the Application for a Clearing Permit to clear 58.5 hectares of native vegetation in Bullsbrook is disturbing. Within the limited time frame available for public comment we are unable to make a ground level assessment of the site and will have to rely on the aerial imagery associated with the Permit Application and existing information regarding adjacent/contiguous bushland areas.

The area subject to the clearing Permit Application is large (58.5 hectares) and it is the UBC's view that the clearing of such an extensive block of remnant vegetation would be unacceptable. The block is adjacent to bushland that has been recognised for its high conservation values through the Bush Forever initiative (Site 300 – Maralla Road Bushland, Ellenbrook/ Upper Swan) and mapping would suggest it contains wetland areas as well. The submission will address the conventional “10 clearing principles.” However, as indicated earlier, we are of the strong view that a block contiguous with a Bush Forever Site known to have such high conservation values should be subject to a level of environmental assessment that involves the proponent providing a detailed description of its environmental attributes with regard to such matters as flora and fauna so that the public and other interested parties would be better able to provide informed comments.

1. Clearing Principle No 1 – Native Vegetation should not be cleared if it comprises a high level of biodiversity.

Given that the area under consideration is contiguous with Bush Forever Site 300, it is reasonable to assume the flora and fauna within it is broadly similar. Our examination of aerial images suggests that most of native vegetation subject to the Clearing Permit Application is in at least reasonable condition and therefore assume it has similar conservation values to Site 300. Site 33 itself has outstanding environmental values which are undoubtedly associated in no small way with its direct linkage to the very large Bush Forever Site 399 (Melaleuca Park and Adjacent Bushland, Bullsbrook/ Lexia). The block subject to the Clearing Permit Application lies on the eastern side of the Swan Coastal Plain and it is generally accepted that the eastern side of the Coastal Plain has the highest level of biodiversity in terms of both flora and fauna but that less than 10% remains.

The UBC has no reason to believe the site subject to the Clearing Permit Application has any less capacity to provide resources for native fauna than Bush Forever Site 300 to its immediate south and the 58.5 hectare hectares of native vegetation no doubt contributes to the general resilience of fauna populations in the wider area simply by constituting a large area of available habitat. Bush Forever documents describe Site 300 has providing habitat for *at least* 57 species of birds, 3 species of native mammals, 31 species of reptiles and 9 species of amphibians (*Bush Forever, Vol. 2, Directory of Bush Forever Sites, 2000*). It would be our expectation that at least part if not all of the site would constitute feeding habitat for Carnaby's Cockatoo and would be surprised if this were not the case.

Site 300 is described in the same documents as having 427 native plant taxa. Having no access to any flora survey data, if any exists, we are not in a position to accurately describe the flora of the block subject to the Clearing Permit Application but we would assume by its location on the eastern

side of the Coastal Plain and by its apparent mix of wetland and upland vegetation types that it would exhibit at least moderate species richness with regard to flora.

The UBC recommends the Clearing Permit Application be rejected on the grounds that the native vegetation on the subject site comprises a high level of biodiversity and therefore it is at variance with Principle 1.

2. Clearing Principle – Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.

The 58.5 hectare block subject to the Clearing Permit Application is very likely to exhibit the same strong fauna values as those identified in Bush Forever Site 300. According to Bush Forever documents (cited above) the Site 300 has significant populations of such bird species as the Scarlet Robin, the Hooded Robin, the Golden Whistler and the Splendid Fairy Wren. It also provides habitat for the Western Brush Wallaby and the Southern Brown Bandicoot. All these species are having their available habitat eroded by development on the Coastal Plain portion of the Perth Metropolitan Area and all could be said to declining in numbers in that region. As smaller blocks of remnant habitat become more scarce and isolated in the region, these species will be relying on relatively large reserves, such as the area subject to this Clearing Permit Application and adjacent bushland, to maintain a presence on the Coastal Plain portion of the PMR. Such a large block of remnant vegetation, close to other bushland habitat areas, will in all probability have strong indigenous fauna values.

It is our view that this block is likely to provide feeding habitat for the Endangered Carnaby's Cockatoo – a species that is declining and losing more habitat every year.

It is the strong view of the UBC, therefore, that the Clearing Permit Application should be rejected on the grounds that it is at variance with Clearing Principle 2: “Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.”

3. Native vegetation should not be cleared if it includes or is necessary for the continued existence of rare flora.

The UBC is not in a position to know whether rare flora species occur on the site subject to the clearing but in the Bush Forever documentation referred to previously Site 300 is described as having, “an exceptionally large number of significant flora and ...high conservation value for vegetation.” In such a context it would not be surprising if rare flora existed on the subject site but it would have to be surveyed properly for this question to be resolved.

It is possible clearing would be inconsistent and at variance with clearing principle 3 that “native vegetation should not be cleared if it includes or is necessary for the continued existence of rare flora.”

4. Native vegetation should not be cleared if it comprises the whole or part of, of its necessary for the maintenance of a threatened ecological community.

The UBC is not in position to know whether State listed threatened ecological communities occur on the site subject to the Clearing Permit Application but given its location on the eastern side of the Coastal Plain, its inclusion of wetlands, and the fact that the adjacent Bush Forever site (No. 300) has “a diversity of floristic community types (13)” and is described as having “outstanding flora diversity” in the Bush Forever documentation, it is reasonable to assume threatened ecological communities may occur on the subject site.

Furthermore, as stated above, under the Strategic Assessment currently being jointly conducted by the State and Commonwealth governments, the FPAL nominated Banksia woodlands are to be treated as a listed TEC under the EPBC Act.

It follows therefore that clearing the site would be at variance with clearing principle 4 that “native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.”

5. Native Vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.

The UBC takes the view that the Swan Coastal Plain as a whole has been extensively cleared – in fact excessively cleared – so we have no hesitation in claiming granting of a Clearing Permit to clear the 58.5 hectares of native vegetation subject to the Application would contravene clearing principle 5: “native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.”

However, as above, it has long been our understanding that there was a general “presumption against clearing” applying to remnant vegetation occurring on the eastern side of the Coastal Plain. It is common knowledge that native vegetation occurring on this eastern portion of the Coastal Plain has been very extensively cleared (less than 10% remains) and the UBC would object very strongly to such a large parcel of remnant vegetation and habitat being cleared – even if portions of it are not in pristine condition. We note that Twin Swamps Nature Reserve occurs only a few kilometres to the north-west of the subject site. The extensive clearing and destruction of wetland habitat on the eastern side of the Swan Coastal Plain is largely responsible for the precarious state of the existing Western Swamp Tortoise population and it is our view that retaining some bushland in the vicinity of the Twin Swamps reserve might help contribute to its long term ecological viability

6. Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Our examination of maps and aerial imaging indicates the site subject to the Clearing Permit Application contains areas of wetland habitat and that it is in close proximity to the Sawpit Gully creek line. Wetland habitat on the eastern side of the Coastal Plain is of special conservation significance and having large areas of very good quality native vegetation in the vicinity contributes even more to its environmental values. Even if there is significant disturbance associated with watercourses and wetland sumps and basins, there is always potential for bushland rehabilitation and regeneration works to be undertaken in the future.

It is our strong view that granting this Clearing Permit Application would be at variance to clearing principle 6: “Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.”

7. Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.

The 58.5 hectare site subject to the Clearing Permit Application constitutes a substantial adjunct to Bush Forever Site 300. It is actually difficult to understand why the greater block of bushland north of Maralla Road, including that bushland to the west of the parcel of land subject to the Clearing Permit Application, was not included in Bush Forever. It would appear to have no environmental explanation and it would make a great deal more sense if that large parcel of bushland directly north of Bush Forever Site 300 was incorporated into that Site. The fact is that whether the site subject to the Clearing Permit Application was officially included in Bush Forever or not, it inevitably contributes to the overall conservation values of Site 300 and other nearby bushland areas – including Twin Swamps nature reserve (Bush Forever Site 400).

There is no doubt that bushland areas with greater total size generally provide more resources, more habitat options and more potential refuges for fauna and greater buffering against disturbance factors for vegetation. Larger bushland areas provide more food resources for species such as the Endangered Carnaby's Cockatoo – thus relieving the birds of the problem of wasting energy moving between smaller blocks with relatively meagre resources.

It is our strong view, therefore, that granting a Clearing Permit for this 58.5 hectares would be at variance with Clearing Principle 7 stating that “Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.”

Conclusion

The Urban Bushland Council is strongly opposed to a Clearing Permit being granted for the clearing of the 58.5 hectares of native vegetation referred to in the Application or any part thereof as we submit that it is at variance with the above 7 clearing principles. We have outlined our reasons for this position with reference to the clearing principles and we trust the clearing principles will be applied. The eastern side of the Swan Coastal Plain has been very extensively cleared and what little remains needs to be protected. Not only is it poorly conserved but it is also particularly diverse in terms of its flora and fauna in its natural state. The UBC wants to see our natural heritage protected and conserved into the future and the clearing of such a large block of native vegetation – especially in such a location – would be unacceptable. Thus addition of the site to the adjacent Bush Forever Area is recommended.

Thank you for the opportunity to comment.

Yours faithfully

President
Urban Bushland Council WA Inc.

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