



1 March 2010

Chairman
EPA
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PERTH

Attention Leanne Thompson

Submission to the Public Environmental Review – Rural Subdivision, Lots 1000, 2240, 2275 and 3045 Preston Beach Road, Lake Clifton.

The Urban Bushland Council WA (Inc) welcomes the opportunity to respond to the proposed rural subdivision by Cape Bouvard Investments.

We have only to look at the maps of the proposed development to see that any development in this unique and sensitive area is environmentally inappropriate. Yalgorup National Park lies to the north AND to the south of the proposed subdivision and the string of smaller lakes run between Lake Clifton and the coast. Boundary Lake and unnamed lake lie partially within and within (respectively) the site location. The site location is privately owned and as stated, Cape Bouvard Investments purchased the land in 1995 and prepared and presented its 975.2ha proposed subdivision. The proposal was modified in June 2002 to incorporate the findings of the PER.

The UBC supports the aims of the Friends of Ramsar Action Group for the Yalgorup Lakes Environment Incorporated, FRAGYLE, *that all zoned rural land between the Indian Ocean and Yalgorup National Park should be incorporated into Yalgorup National Park.*

Again from looking at the map, the sense in this land being added to the Yalgorup National Park, appears self evident and we oppose any sort of subdivision.

1.) The proposal should not be compared with the current scenario as being a better option. This is no justification for approval of the proposal, as both cases are unacceptable scenarios.

The conclusions of the *ENV Cape Bouvard Investments - Clifton Beach PER* are instructive. In three of the paragraphs ENV compares the proposed development with the *current scenario which allows the relatively unrestricted use of the site for rural purposes including but not limited to grazing* and finds that the 'initiatives and controls described in this PER are a substantial improvement.'

The next paragraph states that: *'Consideration of the potential for the proposal to cause degradation of water quality within the Yalgorup Lakes has been a particular focus of this PER. The design of the proposed subdivision is predicted to result in an improvement to the water quality of wetlands relative to currently allowable land uses such as grazing.'*

Then the next paragraph states; *It has been demonstrated that the nutrient loadings to Lake Clifton from the proposed rural subdivision will be substantially less than would result from the currently allowable grazing scenario **that could occur** if the rural subdivision does not proceed. The reduction in nutrient loading to Lake Clifton for the rural subdivision compared with the grazing scenario is predicted to be 12 times less for Total Nitrogen and 16 times less for Total Phosphorus.* This begs the question: what is the current nutrient export per annum under current conditions? What is relevant is the comparison with a *no grazing (by farmed animals) scenario*. It is a nonsense to argue justification of the proposal by comparison of two worst case scenarios: to say one is better than the other does not make one of them acceptable. The same logic could be applied to two cases of murder; one by distant gunshot causing instant death, and the other by a brutal bashing and slow agonising death. Both result in unacceptable murder. There will be increased disturbance and nutrient export from subdivision - it might take longer than more intense grazing but the outcome will still be unacceptable for such a sensitive area. It is very well known that increased people and dwellings will result in increased phosphorus and nitrogen loading followed by increased export on the Swan Coastal Plain.

Thus the UBC does not accept that the Cape Bouvard proposal should be measured against current practise of the area or ***what could be*** happening under current land use, presumably with higher stocking rates. We consider that the Yalgorup Lake System area is of regional, national and world significance, that it is an environmentally highly sensitive area and that the proposal for rural subdivision cannot be made environmentally acceptable.

2.) The proposed subdivision is a controlled action under the EPBC Act. The controlling sections are;

S16 and 17B Wetlands of International Importance
S18 and 18A Listed threatened species and communities and
S 20 and 20A Listed migratory species.

We believe that it is impossible to subdivide land and for houses to be built on the lots without affecting the environment deleteriously. Subdivision brings in ground disturbance from new houses, septic tanks or alternative waste systems and other structures, new fences, fire breaks, domestic pets, weeds and garden plants which become weeds, and so on. We, the state and the community, have an obligation to protect our important wetlands, our threatened species and communities and the listed migratory species so that they have the best chance of surviving into the future.

3.) Wetlands of International Importance and Lake Clifton thrombolites.

The Yalgorup Lakes System is listed and protected under the Ramsar Convention on Wetlands as a Wetland of International Importance and the Lake Clifton thrombolites are declared a critically endangered community.

Lake Clifton and the formation and structure of the thrombolites there are described in the book *Earth Alive, From Microbes to a Living Planet* by paleobotanist, Dr Mary E. White. Dr White writes: *The position of the reef is determined by groundwater seepage which provides the carbonate and bicarbonate ions required for stromatolite construction.*

The diverse invertebrate fauna that populates the lake includes many grazers, mainly isopods and amphipods (crustaceans) and molluscs, all of which use the stromatolites as a source of food as well as a refuge. This suggests that complex interactions promote or restrict stromatolite growth and that where conditions are right, as here where the materials needed for stromatolite regeneration are present in groundwater and the right balance exists in the ecosystem, they can survive.

Moore, 1990 CALM, 2004a cites the numerous threats to the Lake Clifton thrombolite community as originating outside the ecological community itself and from significant environmental degradation since at least the early 1990s.

The UBC has no confidence that the proposed development will not affect the balance in the ecosystem in relation to groundwater movement and groundwater balance. Pollution from nutrients, oils, effluent and chemicals is possible from development and water extraction too could seriously affect the ecosystem of the area. It is obvious that this site is not the place for subdivision for housing and private landholdings.

4.) Listed migratory species

International trans-equatorial waders rely on the habitat of the Yalgorup lake system and the system also supports ducks, swans, stilts, avocets, plovers, pelicans and coots as well as eight frog species.

All species on the list of migratory species are of National Environmental Significance under the EPBC Act. (EPBC Act User's Guide). Australia has an obligation under the Ramsar and associated treaties, to protect the Ramsar Wetland system. Loss of feeding grounds in the Peel Harvey estuary due to development has put further pressure on habitat for migratory waders.

5.) Carnaby's cockatoo

The UBC is active in promoting the retention of habitat for Carnaby's Cockatoo. Clearing in the wheat-belt has declined but clearing on the Swan Coastal Plain has accelerated due to development pressures. 'Protection of habitat is a high priority for the long-term survival of the species'. (Landscape Vol 24 Number 4). We object to any further clearing of feeding habitat for the endangered Cockatoos.

6.) Terrestrial Flora-Vegetation including Threatened Ecological Communities

The UBC does not believe that the EPA Objective for this Environmental Factor can be met ('Maintain the abundance, species diversity, geographic distribution and productivity of vegetation communities.') The reason for this is that roads, fences, firebreaks and clearing for houses fragment the vegetation, weeds already present will proliferate, new weeds will enter and will not be managed by land holders or Local Government and biodiversity will be lost. In rural subdivisions, the end result is more clearing and degradation of what remains, although it may take a little longer than clear felling for urban subdivision.

7.) Tuart *Eucalyptus gomphocephala*

As a state government initiative, the Centre of Excellence for Climate Change, Woodland and Forest Health was established at Murdoch University. Extensive research is being undertaken to determine what is causing the rapid and devastating decline in the health of tuart and other tree species. Since 1999, there has been a dramatic increase in the extent of the decline of Tuarts in Yalgorup National Park (www.turathealth.murdoch.edu.au/index.html). Dr Paul Barber, the Tuart Health Research Group has stated that "We're looking at the potential for 100% mortality."

Recent research being undertaken is the administration of phosphite and macro and micronutrients through stem treatments and also the modification of the understorey and application of mulch. (Centre of Excellence for Climate Change Woodland and Forest Health).

The 'Predicted Outcome' in the Env. Cape Bouvard Investments – Lake Clifton PER, under 'Summary of Environmental Impacts', page 15 states that the "condition of Tuart communities' onsite improves with active management of invasive weeds." The cause of Tuart decline is

complex and improvement in tuart condition requires more than active management of weeds. Perturbations to groundwater levels from increased abstraction is a likely factor of significance.

Conclusion and recommendations

The site for the proposed development is privately owned but it is not a site suitable for subdivision for rural lots with housing. The whole area from the Peel Inlet and over the Yalgorup Lakes System is of great importance and to approve a subdivision will threaten the natural systems and the unique environment.

The UBC recommends that the proposal be assessed by the EPA as environmentally unacceptable.

Further we recommend that the landholder be invited to donate Lots 1000, 2240, 2275 and 3045 Preston Beach Road, Lake Clifton to the Crown for addition to Yalgorup National Park under heritage arrangements whereby the total capital value of the land becomes a tax deduction to the donor; and the landholder gains recognition as a good corporate citizen in this International Year of Biodiversity.

Representatives of the Urban Bushland Council would be pleased to address the EPA on this submission.

Yours faithfully

C Mary Gray
President