

11th April 2011
The Hon Tony Burke MP
Minister for Sustainability, Environment, Water, Population and Communities
PO Box 6022
Parliament House
Canberra ACT 2600

Dear Minister

**Compliance of Perth Airport Leaseholder – Westralia Airports Corporation
– with a Ministerial Decision taken under the *EPBC ACT 1999* and handed down on
29 September, 2006.**

The Urban Bushland Council (UBC) is a peak community conservation body with over sixty member groups. The UBC promotes and encourages the conservation and appropriate environmental management of bushland areas remaining in and around urban centres in Western Australia. The Council has a long standing interest in the remnant natural areas at Perth Airport and has strongly opposed numerous development proposals and plans for the airport that the Commonwealth has subsequently approved. Partly as a consequence of this unfortunate history, the UBC has a special interest in seeing the airport leaseholder adhere to whatever meagre environmental constraints the Commonwealth might impose on its land use.

In regard to this issue, the council draws to your attention an official Decision dated 29 September, 2006 by the then Minister for Environment and Heritage, Senator Ian Campbell. It relates to a “proposed action to develop a commercial state and aeronautical infrastructure in Precincts 2A and 2B of Perth Airport, Western Australia... as described in the referral received under the (EPBC) Act on 29 August 2006 (EPBC/3021). We have included a copy of this Decision for your convenience.

The UBC was strongly opposed to the extent of clearing of native vegetation and habitat loss that the subject proposal involved and we made this point of view known in our referral submission – as did one of our member groups (Friends of Perth Airport Bushland) in its more detailed submission on the referral. We draw to your attention the fact that the Airport vegetation was then recognised as both regionally and nationally significant by its listing on the Register of the National Estate by the Commonwealth, and by the State as a Bush Forever site of outstanding value. Thus the Council was very disappointed with the Minister’s eventual Decision because it opened the way for extensive clearing of very good quality native bushland with strong environmental values. However, we took some small consolation from the Minister’s prescription regarding the manner in which the proposed action was to be undertaken. Specifically, we saw merit in the requirements worded as follows:

1. Westralia Airports Corporation will establish a “Conservation” zone within Precincts 2A and 2B of Perth Airport in accordance with the boundaries shown in Figures 1 and 2 of the referral.

2. The “Conservation” zone will be managed in accordance with the practices and principles employed for existing conservation zone so that the environmental values of this zone are preserved and enhanced. THE LAND USE ZONING AND MANAGEMENT PRINCIPLES APPLYING TO THE “CONSERVATION” ZONE SHALL BE IDENTIFIED BY WESTRALIA AIRPORTS CORPORATION IN RELEVANT PLANNING DOCUMENTS,

INCLUDING THE PERTH AIRPORT MASTER PLAN AND THE PERTH AIRPORT ENVIRONMENT STRATEGY.

The Urban Bushland Council has a copy of the *Perth Airport Environment Strategy 2009-2014* and has noted the absence of any specific *identification* of this “**Conservation**” zone in this document. A 39 hectare “Infrastructure Only Conservation Zone” is referred to very briefly in the text but not *identified* as such in the mapping and diagrams and it is an altogether obscure reference which downplays the import of the original Ministerial Decision.

In its submission on the *Preliminary Draft Master Plan – Environment Strategy 2009*, the UBC did not specifically raise the issue of the non-inclusion of the “**Conservation**” zone in question but did demand that the natural areas dedicated to conservation at Perth Airport be extended well beyond those included in Precincts 5 and 7. In any case, the UBC is a community group – not the airport environmental regulator. In point of fact, we have little confidence in the submissions processes associated with these documents and a long history of preparing detailed submissions has shown our concerns about land use planning at Perth Airport are invariably ignored by the leaseholder and the Commonwealth alike. Nevertheless our question is why has Westralia Airports Corporation been allowed to submit planning documents that do not clearly *identify* this “**Conservation**” zone when the Ministerial decision clearly requires them to do so and why has the Commonwealth failed to detect this disturbing anomaly? and further to address it?

Our representatives have recently attended environmental consultation meetings regarding proposals to construct major access roads into Perth Airport (known as the Perth Gateway Project) and have been faced with the farcical situation wherein the proponents and even a relevant WAC representative claimed to have no knowledge of any such “**Conservation**” zone and that is was “not in the *Perth Airport Master Plan*.” Indeed one of the proposals impacts very heavily on this zone – more so than the Ministerial Decision would appear to anticipate as the Decision states road construction should be *restricted* to access to “the commercial estate,” whereas the Gateway project envisages an extended Leach Highway becoming the main passenger access to the new combined terminal. The UBC notes that having been advised of the relevant Ministerial Decision by our representative, the Gateway proponents and WAC’s representative have now acknowledged its existence and claim to be addressing its implications. We would expect the Commonwealth to uphold all elements of the original Ministerial Decision.

The Urban Bushland Council insists that Westralia Airports Corporation should have clearly identified this “**Conservation zone**” in its *Master Plan* and *Environment Strategy* documents and we wish to express our frustration and our dissatisfaction with the system whereby its compliance with such Commonwealth direction is monitored and enforced. Will you as current Minister ensure that the original Ministerial Decision as attached is enforced?

The Urban Bushland Council looks forward to your early action on this matter.

Yours faithfully

C. Mary Gray
Vice President