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Department of Water and Environmental Protection

Dear Officer

AMG (WA) PTY LTD – ‘Application to amend – increase the area to be cleared to 15.83 ha – landfill facility’. Extractive industry; Waste disposal. CPS 8500/3

The Urban Bushland Council WA Inc (UBC) opposes the application to amend the clearing permit that would increase the clearing of native vegetation to 15.83 hectares.

We read in ‘Policy: Applications for amendments to clearing permits’; Draft for public consultation April 2021 DWER:

‘In considering whether to grant an amendment to redescribe the boundaries of an area, or to vary or add a condition, the CEO shall have regard to whether the change relates to the original area, and whether the impacts would have an environmental impact which is in addition to or different from what was assessed under the original permit application’.

The UBC considers that the clearing purpose to ‘increase the area to be cleared to 15.83 – landfill facility’ is ‘additional to the original area’ and ‘the impact would have an environmental impact which is in addition to’ and ‘different from what was assessed under the original permit application’.

This being the case the UBC strongly recommends that the CEO/delegated officer refuse the application to amend the clearing permit.

The history of applications/decisions/intent to refuse/reapplications and changes to land use has been complex but the end result, if approval were to be granted, would see the clearing - destruction - in total of 15.83 ha of native bushland.

Both applications/clearing decisions (CPS 8500/2 and CPS 6701/2) proposed that the permit be amended to include landfill as an additional purpose. One of the consequences of this proposed amendment, was to remove the requirement to revegetate. Clearing has already taken place over most of the areas and now – CPS 8500/3, the corridor between the two cleared patches also has an application for clearing. The impact of this area of 4.58ha, if cleared, would have a significant impact additional to, and different from, what was previously assessed.

The claim by the proponent that this area between the two sand mining areas would ‘suffer from edge effects’, ‘its condition would become variable’, and ‘retention will produce a discontinuous land form’, is a rationalisation for the developer’s clearing imperative.

As stated, the retention of this 4.58 ha area has environmental significance and to support this view, the following points are made.

- **‘Land clearing** is one of the biggest threats to WA’s biodiversity’ (EPA 2016 Annual Report).
- **Cumulative impacts:** ‘The EPA is particularly concerned by the cumulative impact of clearing in the Perth, Peel, Wheatbelt and Pilbara regions.’ ‘Cumulative impacts are not being assessed’ (Professor Graeme Samuel Final Report of the Independent Review of the EPBC Act 1999).

- **Staged approval:** The piecemeal staged proposals, through the clearing permit system, is allowing each proposal to be considered in isolation.
- **Protecting and restoring the environment:** ‘Ultimately, governments should shift their focus from individual project approvals to a focus on clear outcomes, integrated into national and regional plans for protecting and restoring the environment and plans for sustainable development’. (Professor Graeme Samuel Final Report of the Independent Review of the *EPBC Act 1999*). The proposed amendment increases clearing. There will be a net loss.
- **Habitat and possible breeding areas loss for black cockatoos** – if approved. Carnaby’s cockatoo has experienced a contraction in range and a 50% decline in population since the late 1940s, ‘due primarily to the loss and fragmentation of habitat, as a result of clearing native vegetation.’ (Carnaby’s Cockatoo Recovery Plan 2013).
- **Evidence of Black cockatoo foraging was observed during the field survey**, as reported August 2018.

The Carnaby’s Cockatoo Recovery Plan 2013 states that:

When making planning and environmental approval decisions and decisions on management of areas, decision makers should ensure consistency with this Recovery Plan as well as guidance provided by the EPA and SEWPAC, and seek to fully protect Carnaby’s cockatoo habitat. (p 23)

- **Trees with hollows:** 73 trees were identified as black cockatoo breeding trees, that is they had a DBH of > or equal to 50cms. Because of the terrible fire in Jan 2016, trees with hollows were burnt leaving 47 trees with a DBH > 50cms. These trees have the potential for suitable hollow for breeding in the future. Do black cockatoos have time in the face of extensive habitat clearing? Hollows in trees are also habitat for other species.
- **Banksia Woodland:** the southern part of the proposed amendment may be considered to meet the criteria for inclusion as the endangered TEC Banksia Woodlands of the Swan Coastal Plain vegetation community.
The Banksia Woodlands listing conservation advice includes avoiding further clearing and fragmentation and minimising unavoidable impacts from any developments. The proposed amendment is avoidable by refusing the amendment and thereby maintaining the vegetation: vegetation suitable for black cockatoos feeding – Marri, Jarrah, banksia species and *Allocasuarina fraseriana*. (Black Cockatoos Habitat Review August 2018)
- **Fauna Management:** Despite the advice that ‘slow directional clearing’ would be carried out, there is the potential for direct and indirect impacts to Quenda, SW Brushtail Possum, Coastal Plains Skink, Chuditch and Western Brush Wallaby. The Chuditch has a National Recovery Plan 2012, that states (page 10) that ‘Corridors of retained vegetation, eg road reserves, are also important to chuditch as links between larger reserves’ (as well as ‘needing large natural areas because of their large home ranges and resource requirements.’)

Thank you for the opportunity to comment.

Yours faithfully

Chairperson
Urban Bushland Council WA Inc.