

**Clearing of approximately 22 hectares of native
vegetation for agriculture: Collie Agricultural
Area Lot 37 Harris Road, Picton**

BMP Holdings Pty Ltd and Lure Holdings Pty Ltd

**Report and recommendations
of the Environmental Protection Authority**

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Summary and recommendations

This report provides the Environmental Protection Authority's (EPA)'s advice to the Minister for the Environment on the proposal by BMP Holdings Pty Ltd and Lure Holdings Pty Ltd to clear approximately 22 hectares of native vegetation on Collie Agricultural Area Lot 37 Harris Road, Picton. The proposal includes clearing of native vegetation within two wetlands.

Section 44 of the *Environmental Protection Act 1986* requires the EPA to report to the Minister for the Environment on the environmental factors relevant to the proposal and on the conditions and procedures to which the proposal should be subject, if implemented. In addition, the EPA may make recommendations as it sees fit.

Relevant environmental factors

The EPA decided that the following environmental factors (issues) relevant to the proposal required detailed evaluation in the report:

- (a) Biodiversity conservation; and
- (b) Wetlands.

Conclusions

The EPA has concluded that the proposal by BMP Holdings Pty Ltd and Lure Holdings Pty Ltd to clear native vegetation on Collie Agricultural Area Lot 37 Harris Road Picton is environmentally unacceptable as it cannot be managed to meet the EPA's objectives:

- The vegetation proposed for clearing appears likely to contain plant communities that are depleted, poorly conserved and inadequately represented in secure nature conservation reserves, such that any further clearing may have irreversible consequences for the conservation of biodiversity. This is not consistent with EPA Position Statement No.2 *Environmental Protection of Native Vegetation in Western Australia* (EPA, 2000).
- The current proposal as put forward by the proponent would result in the permanent loss of environmentally significant wetlands without provision, within the overall proposal, for mitigating the loss through conservation mechanisms such as wetland banking. This is inconsistent with the EPA's Preliminary Position Statement No. 4 entitled, *Environmental Protection of Wetlands* (EPA, 2001).

Recommendations

The EPA submits the following recommendations to the Minister for the Environment:

1. That the Minister notes that the proposal being assessed is for clearing approximately 22 hectares of native vegetation, including vegetation associated with two environmentally significant wetlands.
2. That the Minister considers the report on the relevant environmental factors as set out in Section 3 of this report.
3. That the Minister notes that the EPA has concluded that the proposal cannot be managed to meet the EPA's objectives in relation to:
 - a) Biodiversity conservation; and
 - b) Wetlands.
4. That the Minister notes that the EPA has not included in this Bulletin "conditions and procedures to which the proposal should be subject, if implemented" because the EPA holds the view that the proposal should not be implemented.

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Appendix 1: References

1. Introduction

This report provides the Environmental Protection Authority's (EPA's) advice to the Minister for the Environment on the proposal by BMP Holdings Pty Ltd and Lure Holdings Pty Ltd to clear approximately 22 hectares (ha) of native vegetation on Collie Agricultural Area Lot 37 Harris Road, Picton. The proposal includes clearing of native vegetation within two wetlands.

The locality of the proposal is shown in Figure 1, while Figure 2 illustrates the proposed area of clearing in relation to property boundaries and environmental features.

The proposal was referred to the EPA in February 2003 following notification of clearing under the *Soil and Land Conservation Act 1950* and consideration by the Interagency Working Group established under the Memorandum of Understanding for the Protection of Native Vegetation on Private Land in the Agricultural Region of Western Australia (Agriculture WA, 1997). Further details of the proposal are presented in Section 2 of this Report.

In April 2003 the level of assessment for the proposal was set at Proposal is Unlikely to be Environmentally Acceptable (PUEA). This level of assessment was set primarily because it was apparent at that time that the proposal would impact significantly on depleted or poorly reserved vegetation types and environmentally significant wetlands. There were no appeals on the level of assessment.

Section 44 of the *Environmental Protection Act 1986* requires the EPA to report to the Minister for the Environment on the environmental factors relevant to the proposal and on the conditions and procedures to which the proposal should be subject, if implemented. In addition, the EPA may make recommendations as it sees fit.

Accordingly, Section 3 discusses environmental factors relevant to the proposal and Section 4 presents the EPA's conclusions and recommendations. References are listed in Appendix 1.

2. The proposal

The co-proponent and land owners, BMP Holdings and Lure Holdings propose to undertake clearing of native vegetation on Collie Agricultural Area Lot 37 Harris Road, Picton, for the purposes of establishing pasture for cattle. The property is located approximately 6 kilometres (km) south east of Bunbury on rural zoned land near the Picton Industrial area (Figure 1).

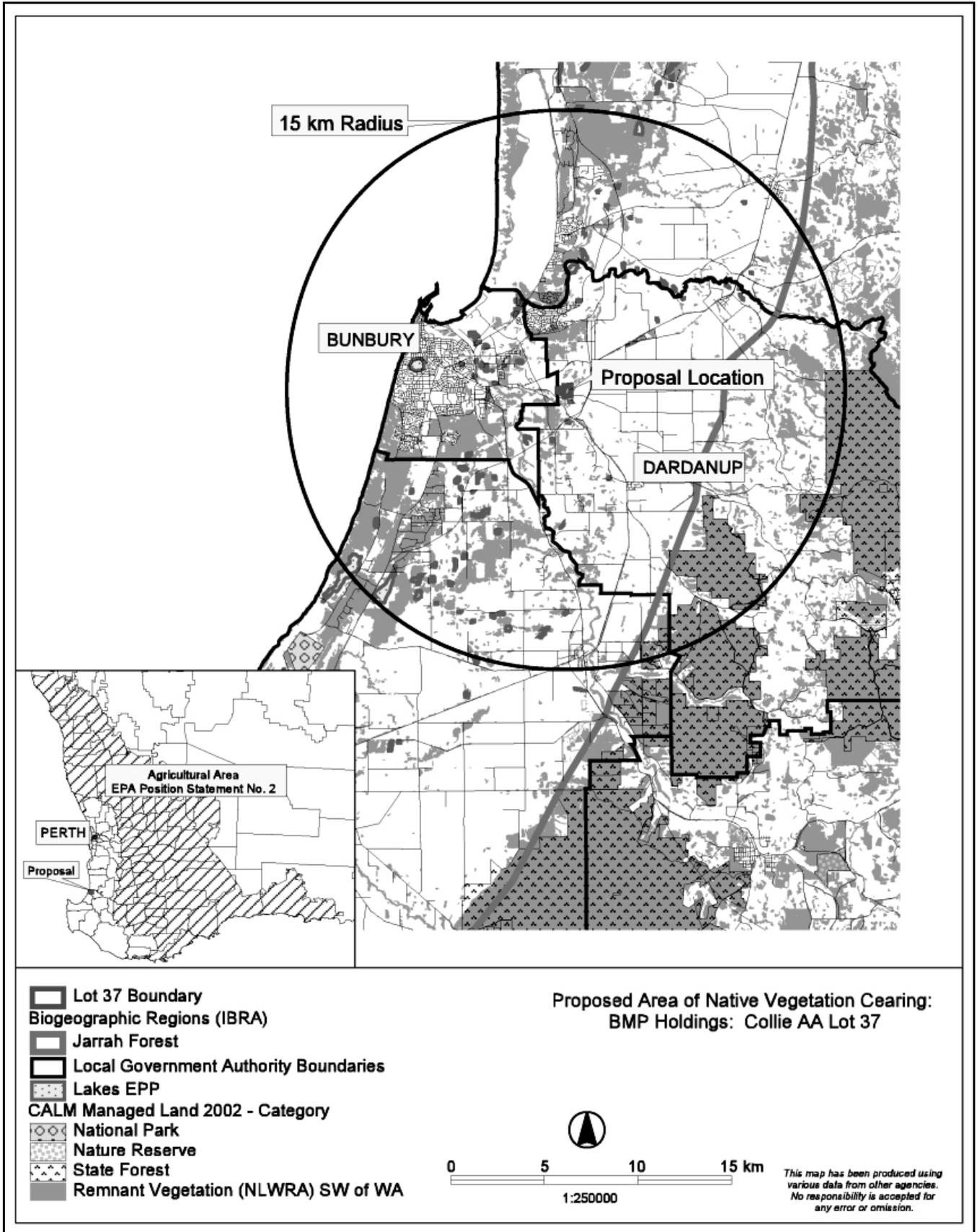


Figure 1: Locality and regional overview of proposal area

The proponent's Notice of Intent to Clear refers to a clearing area of 28 ha. However mapping of vegetation and cadastral boundary data indicates that the maximum area of clearing that could be accommodated within the area shown on the map provided by the proponent and within the portion of the property subject to the proposal is approximately 22.4 ha. This is the area considered by the EPA in this assessment.

A summary of the key characteristics of the proposal and impacts on environmental values is provided in Table 1. Figure 2 shows the area proposed for clearing in relation to property boundaries and other physical and environmental features.

Lot 37 is divided into two portions east and west of a rail line with a total area of approximately 28.9 ha. Approximately 17 ha of the lot (59% of the total lot area), located on the east side of the rail line currently supports intact native vegetation. Other vegetation (approximately 5 ha) on the east side of the rail line has been severely impacted by previous grazing and other disturbance and only retains a 'parkland' over-storey vegetation cover. The portion of Lot 37 located on the west side of the rail line is cleared.

The proposed clearing, which is for the stated purpose of livestock grazing, would remove all remaining vegetation on the property and includes the clearing of vegetation associated with a wetland.

3. Relevant environmental factors

The proposal is inconsistent with the EPA's Position Statement No. 2 *Environmental Protection of Native Vegetation in Western Australia* (EPA, 2000) and Preliminary Position Statement No. 4 *Environmental Protection of Wetlands* (EPA, 2001). The EPA considers that this proposal is clearly in contravention of established or applicable environmental standards or procedures. The EPA has therefore decided only to report in detail on key environmental factors relevant to the proposal.

It is the EPA's opinion that the following environmental factors are relevant to the proposal:

- a) Biodiversity conservation; and
- b) wetlands.

The relevant factors are discussed in Sections 3.1 and 3.2 of this report.

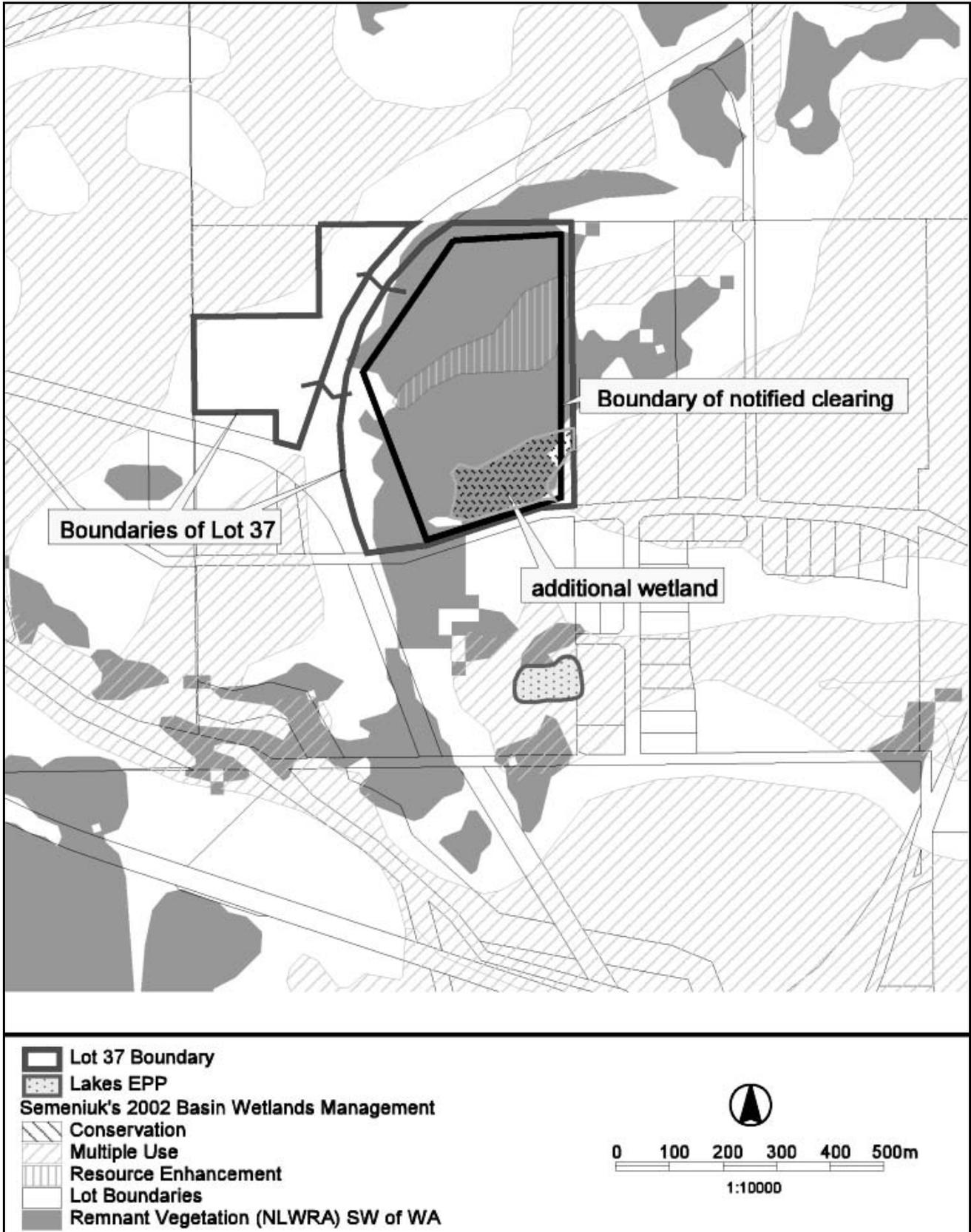


Figure 2: Proposed area of clearing

**Table 1: Summary of Key Proposal Characteristics:
Clearing of approximately 22 ha of native vegetation,
Collie Agricultural Area Lot 37 – BMP Holdings and Lure Holdings**

Element	Description
Total area of property	28.9 hectares
Area of property supporting woody vegetation	Approximately 22 hectares (76% of the property) of which 17 hectares is intact native vegetation
Area proposed to be cleared (area estimated by Department of Agriculture)	Approximately 22 hectares of which 17 hectares is intact native vegetation
Area of woody vegetation to remain after proposed clearing	0 hectares
Purpose of clearing	Establishment of pasture for cattle grazing
Condition of native vegetation	‘Poor’ using the condition scale rating of Connell (1995) (Department of Agriculture advice)
Mapped description of the (Hedde <i>et al</i>) Vegetation Complexes to be cleared	Guildford Complex: 4.3 ha Southern River Complex: 12.7 ha (Department of Conservation and Land Management GIS data)
Total mapped extent of Hedde <i>et al</i> Vegetation Complexes within the Southern Swan Coastal Plain region that now support native vegetation	Guildford Complex: 5% Southern River Complex: 20% (Environmental Protection Authority, 2002)
Total representation in reserves (IUCN Category I to IV) within the Southern Swan Coastal Plain region of the (Hedde <i>et al</i>) Vegetation Complexes to be cleared	Guildford Complex: 2% of the estimated pre-European extent Southern River Complex: 8% of the estimated pre-European extent (Environmental Protection Authority, 2002)
Wetlands Impacted	1 unmapped vegetated basin wetland considered by the Water and Rivers Commission for assessment as Conservation Category wetland 1 Resource Enhancement category dampland (Water and Rivers Commission ID No. 11607)
Threatened Flora	No known populations of Declared Rare Flora or Priority flora on Lot 37 36 known threatened flora populations (2 DRF, 3 Priority 1, 6 Priority 3 and 25 Priority 4 taxa) in same vegetation complex within a 10 km radius of the proposal area. (CALM GIS data)
Threatened Fauna	Potential habitat for species including : Carnaby's Black-Cockatoo (S1 DTF conservation status Endangered) Western Ringtail Possum (S1 DTF conservation status Vulnerable) Quenda (Priority fauna conservation status P4) Little Bittern (Priority fauna conservation status P4) (CALM advice)

3.1 Biodiversity conservation

Description

Bioregional context

Lot 37 Harris Road Picton is located in the Shire of Dardanup within the Swan Coastal Plain Interim Biogeographical Region of Thackway and Cresswell (1995). While an estimated 70% of the over 1700 native vascular plants of this region are considered endemic to the south west region, recent mapping of remnant vegetation of the Swan Coastal Plain has identified that over 78% of the vegetation on the Swan Coastal Plain has been cleared (EPA, unpublished).

Interrogation of broad-scale bioregional mapping in government agency databases via the Department of Environment's Geographic Information System (GIS) and regional flora, and vegetation information available from government agencies and published literature, provides some additional information on the significance of the proposal and its potential for impacts on conservation of biodiversity (refer to Table 1).

Regional and local context

The vegetation within the area proposed to be cleared was mapped at the level of Vegetation Complex by Heddle *et al* (1980) as part of the System 6 study (Department of Conservation and Environment, 1980). The clearing area is mapped as containing areas of the 'Southern River' and 'Guildford' vegetation complexes. Soils associated with much of the site appear to be sandy and to support *Banksia attenuata* and other woodland communities.

Approximately 20% of the estimated pre-European extent of the 'Southern River' Complex on the southern portion of the Swan Coastal Plain remains and approximately 8% of the pre-European extent is located in conservation reserves. 'Guildford' vegetation complex is extremely depleted on the southern Swan Coastal Plain with only 5% remaining and only 2% of pre-European extent in conservation reserves.

A high proportion of the area mapped as 'Southern River' vegetation complex on Lot 37 is associated with a vegetated wetland and the provision of a protective dryland buffer for this wetland. Wetlands on the Swan Coastal Plain are of high ecological significance and have been subject to high levels of loss and degradation in the past. This is further discussed later in this document in Section 3.2 'Wetlands'.

The proposal is located within the Greater Bunbury Region (GBR) which is currently the subject of the planning process for a regional planning scheme known as the Greater Bunbury Region Scheme (Western Australian Planning Commission, 2000). Within the GBR, approximately 141,000 ha, or less than 25% of the landscape, is currently occupied by native vegetation. A significant proportion of this vegetation is likely to have diminished long term viability for the conservation of biodiversity due to fragmentation and poor representation in secure conservation reserves.

Within 15 km of the proposal (a land area of approximately 54,400 ha) approximately 14,296 ha (26% of the landscape) supports native vegetation. Within this predominantly cleared local landscape (15 km radius of the proposal area), the

proposal area appears to provide significant value as a ‘stepping stone’ area, providing ecological connectivity between widely dispersed significant vegetation remnants to the north and south of Picton.

Site specific values

No site specific biological surveys are known to have been undertaken for the proposal area. There is therefore considerable uncertainty regarding the potential impact of the proposal on threatened flora or fauna. However, the Department of Conservation & Land Management’s (DCLM’s) geographic database of rare and significant flora indicates that approximately 14 populations of significant flora occur within 5 km of the property.

While much of the understorey vegetation appears to have been significantly impacted by previous grazing and disturbance, the majority of the native vegetation proposed for removal appears likely, if protected from grazing in the future, to be capable of recovery to a level that would sustain regionally significant value as fauna habitat and for the protection of the wetlands on the property.

The proposal area also includes an area of native vegetation with plant communities that contain Tuart and WA Peppermint trees. Tuart associated ecosystems are now recognised as having particular significance to the Western Australian community and have recently become subject to significant decline due to a range of causes including human settlement and land development. The Government has established a Tuart Response Group coordinated by DCLM to investigate Tuart decline and to devise a Tuart protection strategy.

Assessment

Section 4.3 of EPA Position Statement No. 2, *Environmental Protection of Native Vegetation in Western Australia*, sets out the EPA’s expectation that proponents demonstrate that their proposals to remove native vegetation would not compromise any vegetation type by taking it below the level of 30% of the pre-clearing extent of the vegetation type.

The vegetation proposed for clearing affects vegetation complexes that are below the 30% ‘threshold’ level of clearing referred to in Position Statement No 2 and the proposal would therefore appear likely to impact on plant communities that are depleted, poorly conserved and inadequately represented in secure nature conservation reserves, such that any further clearing may have irreversible consequences for the conservation of biodiversity.

The proposal also involves clearing of native vegetation with high potential viability for biodiversity conservation within a local area where the extent of native vegetation has been significantly diminished. It therefore has the potential to significantly affect the conservation of biodiversity in the regional context by leading to:

- a significant reduction in the extent of intact native vegetation on the property (from 59% to 0%);
- an increase in the already high level biodiversity and habitat loss in the region; and

- further isolation of other areas of native vegetation remnants in the local area.

The proposal affects an area of native vegetation containing plant communities that include Tuart and WA Peppermint trees. Further permanent loss of these communities through deliberate clearing is generally undesirable.

Overall, based on the above it is the EPA's view that the proposal would result in a significant adverse impact on biodiversity conservation in the local and regional context and cannot therefore, be managed to meet the EPA's objectives for conservation of biodiversity.

3.2 Wetlands

Description

The proposed area of clearing includes two wetlands within the local occurrence of the 'Bennett Brook' Consanguinous Wetland Suite of Semeniuk (1988). The approximate boundaries of these wetlands are shown in Figure 2. The first wetland (mapped in the Water and Rivers Commission (WRC) wetland atlas of Hill *et al*, 1996) is a vegetated dampland. This wetland is one of few damplands in the local area that has not been extensively cleared. The wetland has been assigned a management category of 'Resource Enhancement' in the Water and Rivers Commission wetland atlas (Hill *et al*, 1996). However, advice from the WRC to the Interagency Working Group indicates that the wetland should be re-evaluated for consideration as to whether its values meet the criteria for assignment of the 'Conservation' management category.

Wetlands identified in the WRC's wetland atlas (Hill *et al*, 1996) that are designated with a 'Resource Enhancement' management category are described as those wetlands which may have been partially modified but still support substantial ecological attributes and functions (WRC, 2001). The preferred management objective for these wetlands is as follows:

"... for management, restoration and protection towards improving their conservation value. These wetlands have the potential to be restored to conservation category. This can be achieved by restoring wetland structure, function and biodiversity. Protection is recommended through a number of mechanisms."

The second wetland on Lot 37 east of the rail siding was not mapped in the wetland atlas (but is located to the south of the mapped wetland within the area of Guildford Vegetation Complex vegetation). The approximate location of this additional wetland (determined from aerial photography) is shown in Figure 2. Advice provided to the Interagency Working Group by the WRC indicated that this wetland may have significant values that warrant its consideration of the assignment of the 'Conservation' management category.

The WRC's position on wetlands is that buffers are required for wetlands to protect them from potential deleterious impacts, while helping to safeguard and maintain ecological processes and functions within the wetland and, wherever possible, within

the buffer. The guidance table provided in the WRC's Position Statement in relation to wetland buffers is that a minimum 200 metre buffer is appropriate for 'Resource Enhancement' category wetlands in cases where soils can be regarded as transmissive (WRC, 2001).

The majority of the proposed clearing area encroaches on the area required for the provision of the appropriate 200 metre uncleared buffer for the wetlands on Lot 37.

EPA Preliminary Position Statement No. 4

The EPA's interim position on environmental protection of wetlands was set out in June 2001 in EPA Position Statement No. 4 (Preliminary) '*Environmental Protection of Wetlands*'. The EPA's overarching goals for wetland protection, as referred to on page 5 of the Position Statement are as follows:

- *“to protect the environmental values and functions of wetlands in Western Australia;*
- *to protect, sustain and, where possible, restore the biological diversity of wetland habitats in Western Australia;*
- *to protect the environmental quality of wetland ecosystems of Western Australia through sound management in accordance with the principles of “wise use” as described in the Ramsar Convention, and ecologically sustainable development principles, regardless of land use or activity; and*
- *to have as a goal, no net loss of wetland values and functions, and to achieve this goal, strategies such as wetland banking should be pursued.”*

The proposal does not include management solutions towards meeting the goals for wetland protection as outlined in Preliminary Position Statement No. 4 (EPA, 2001).

Assessment

The proposal as put forward by the proponent includes clearing of dampland wetland vegetation and buffer vegetation associated with a wetland with an assigned management category of 'Resource Enhancement'. The area proposed for clearing may, upon re-evaluation, have wetlands with values worthy of the assignment of the 'Conservation' management category. The majority of the proposed clearing area encroaches on the area required for the provision of the appropriate 200 metre uncleared buffer for the protection of wetlands on the eastern portion of the property.

It is the view of the EPA that it would be difficult for the proponent to modify the proposal in a way that would protect the values of the wetlands on Lot 37 while protecting areas of significant vegetation on the property.

The current proposal as put forward by the proponent impacts significantly on wetland values and does not propose any strategies to effectively mitigate wetland impacts and therefore it cannot be managed to meet the EPA's environmental objective for wetlands.

4. Conclusions and Recommendations

The EPA has concluded that the proposal by BMP Holdings Pty Ltd and Lure Holdings Pty Ltd to clear native vegetation on Collie Agricultural Area Lot 37 Harris Road Picton is environmentally unacceptable as it cannot be managed to meet the EPA's objectives:

- The vegetation proposed for clearing appears likely to contain plant communities that are depleted, poorly conserved and inadequately represented in secure nature conservation reserves, such that any further clearing may have irreversible consequences for the conservation of biodiversity. This is not consistent with EPA Position Statement No.2 *Environmental Protection of Native Vegetation in Western Australia* (EPA, 2000).
- The current proposal as put forward by the proponent would result in the permanent loss of environmentally significant wetlands without provision, within the overall proposal, for mitigating the loss through conservation mechanisms such as wetland banking. This is inconsistent with Preliminary Position Statement No. 4 *Environmental Protection of Wetlands* (EPA, 2001).

The EPA submits the following recommendations to the Minister for the Environment:

1. That the Minister notes that the proposal being assessed is for clearing approximately 22 ha of native vegetation, including vegetation associated with two environmentally significant wetlands.
2. That the Minister considers the report on the relevant environmental factors as set out in Section 3 of this report.
3. That the Minister notes that the EPA has concluded that the proposal cannot be managed to meet the EPA's objectives in relation to:
 - a) Biodiversity conservation; and
 - b) Wetlands.
4. That the Minister notes that the EPA has not included in this Bulletin "conditions and procedures to which the proposal should be subject, if implemented" because the EPA holds the view that the proposal should not be implemented.

Appendix 1

References

References

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