



## WILDFLOWER SOCIETY OF WESTERN AUSTRALIA (Inc)

11 December 2023

Office of the Appeals Convenor  
Level 22 Forrest Centre  
221 St Georges Terrace  
PERTH WA 6000

Lodged via online form

### Re: **CPS 10068/1 Construction of Perth Surf Park**

The Wildflower Society of Western Australia (hereafter 'the Society') prepares this submission in relation to the granting of the Clearing Permit CPS 10068/1 for the purpose of clearing land in Lot 800 on Deposited Plan 50212 and Lot 9001 on Deposited Plan 65564 in the locality of Jandakot in the City of Cockburn. The Society opposes the granting of this permit as there are other sites within the vicinity of this area that could be used for this development without the need to clear significant vegetation.

The approach taken in the decision to grant this permit is questionable. The logic in the decision report appears to reflect a premis that the project should be allowed to proceed and the report should highlight the project benefits then debase the environmental values to justify the decision. The Society has long argued that the initial premis in application of the Clearing Regulations should be that the proponent should argue why a permit should be granted and the role of the decision-maker should be to argue for the conservation of the vegetation (given that they are charged with conservation of that vegetation).

The benefits to be derived from this proposal are private benefits with no direct benefit to the community. The losses that will be incurred through clearing of the vegetation are losses to the community, not to private individuals. No account has been taken of the loss to the community resulting from the loss of natural vegetation in the consideration of the benefits of this project. There is no cost-benefit analysis made available for the options considered in site selection, particularly those cleared areas in near proximity to the site, albeit that they are held in private ownership. The benefits (the economic, social and environmental values) of rejecting this proposal and retaining the Banksia Woodland as a conservation area have not been calculated. These benefits include reduction in urban heat island effect (which helps mitigate climate change), the value of biodiversity, the ecosystem services provided, and the benefits for physical and mental health and well-being. This is a highly relevant matter that should have been considered – but has been omitted.

In considering the alternative sites available, there is no explanation of "the extensive iterations as part of the strategic planning process." Thus, it is unclear if the disused sand quarries along Jandakot Road within 1 km of the proposed site were considered in the site selection process, as these would not have required the clearing of good to excellent quality vegetation or result in the loss of habitat.



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Many of the assessment decisions in the decision report regarding impacts are based on flawed science as the reports prepared for the proponent are the result of inadequate studies. Also the consideration of the significance of the remnant vegetation fails to recognise the COP15 declaration regarding the minimum vegetation cover required to reduce the loss of species being 30% of the original vegetation cover (pre-development). The science behind the EPA's 2008 decision regarding the Perth Metropolitan Region (PMR) being a constrained area has been superseded by more recent science and the Society believes that the 30% maximum reduction target should be applied. It also believes the conclusions reached in Section 3.2.4 of the decision report highlight the "death by a thousand cuts" that is affecting vegetation in the Perth Region and is exacerbated by decisions such as that which is made here. The Society is carrying out a survey of vegetation loss in the region to highlight that piecemeal decisions such as this are not addressing the overall cumulative loss that has occurred to the vegetation cover in the Perth Region over the last 20 years and the point at which even 10% cover will not be achieved. The Society suggests that the 10% figure should be measured against the area of secured conservation reserve in the PMR, not the total area of current remnant vegetation cover, as much of the current remnant area will be lost to land development, as it is not secure.

The proposal will result in serious and irreversible damage to nature (equating to material and serious environmental harm under the Environmental Protection Act WA 1986). This proposal will irreversibly damage threatened ecological communities and endangered species. The scientific reports regarding the condition of the vegetation in this area do not support the condition assessment of members of the Society who have visited the site. The level of degradation determined by Society members in both the woodland and wetland areas occurs around the periphery of the site while the main body of the area remains in good to excellent condition according to Keighery (1994). Most degradation is the result of disturbance associated with road and infrastructure development and investigation activities associated with this project.

The justifications made in the decision report regarding clearing are not consistent with the Approved Conservation Advice for Banksia Woodland TEC. No offsets will replace the values lost through clearing, as they will not replace like with like, and replacement with offsets located north of the PMR, a clear misuse of the concept of offsets. Other remnants in this area will not provide the 'stepping stones' required as the local area planning provides for the removal of all vegetation in the area for industrial development.

Similarly, the mapping of the wetland as Multiple Use has been recognised as not being correct, but the decision report justifies the decision to clear on information that is yet to be provided through further applications for approval required for the project. The site inspection carried out by the Society suggests there are hydrological linkages at the surface that are provided by existing surface drainage structures adjacent to and under infrastructure developed around the site. Considering over 80% of the wetlands originally in the PMR have been lost, and continue to be lost, the Society contends that further loss cannot be offset, particularly if we are ever to achieve retention of 30% of the original area of wetland on the Swan Coastal Plain.

The Society believes the decision to approve the clearing of this area for construction of the Surf Park is not warranted having considered the potential to repurpose areas left from sand mining that occur within close proximity to the proposed site and requests that the Minister for Environment



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rescind the granting of this clearing permit and request the proponent to seek to relocate the project to already disturbed areas within 1 km of the current location. The basis of this recommendation are:

- The vegetation on the site is original. Although the condition of the vegetation on the site varies, there has been no historical clearing, as stated in some of the Agencies reports.
- The site has remnant vegetation with good and diverse understory – not all degraded and dominated by weeds by suggested in the decision report.
- The scale of the project is not small in a local and regional context as suggested in the decision report. The site contains a banksia woodland that is over 5 ha in area. The average patch size of Banksia Woodlands remaining in Perth is 1.6 ha. The median size of the project area is 0.72 ha. This means the size of this Banksia woodland is significant.
- Although the report mentions that there is limited ecological connectivity to other sites for certain species, the report fails to mention that there is tremendous value for other more mobile species, such as birds – especially the black cockatoos.
- The decision report stated that the proposed clearing will result in the continued incremental loss of a critical resource for black cockatoos.
- The proposal to offset the loss of the threatened ecological community and wetland community is inappropriate as it is not replacing the loss, rather ‘protecting’ areas that may be lost through other developments.
- Some decisions are based on expectations on outcomes from other approvals required by the project. These decisions do not provide the opportunity for public comment and therefore erode the potential and value of community input.



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