

CYLDEBANK DEVELOPMENT, BUSSELTON — CLEARING OF NATIVE BUSH

5994. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment

I refer to the clearing of native bush for development at Clydebank in Busselton, and I ask —

- (1) Can the Minister please provide a list of clearing permits that have been issued but not yet completed for land currently regarded as providing habitat for Western Ringtail Possums?
- (2) Can the Minister please explain the anomaly around the issue of Western Ringtail Possums being protected under state law but not their habitat?
- (3) Can the Minister please explain how his Department is ensuring the retention of sufficient Western Ringtail Possum habitat in the South West, in particular around Busselton, when clearing of such habitat, as approved at Clydebank, is regularly taking place?
- (4) Does the Minister agree that the introduction of the *Biodiversity Conservation Act* would assist in ensuring the preservation of Western Ringtail Possum habitat?
- (5) If yes to (4), can the Minister give some indication of when the Government intends putting this Act to Parliament?

Hon SALLY TALBOT replied:

- (1) In respect to development for land subdivision, such as the Clydebank development, clearing permits under the Environmental Protection Act 1986 are not required as the clearing is done in accordance with a subdivision approval given under the Town Planning and Development Act 1928. The approval for subdivision developments such as this resides with the WA Planning Commission. Implementation of the subdivision is overseen by the local government authority, in this case the Shire of Busselton, which assesses and approves individual development applications and building permits.
All five stages of the Clydebank development have been approved, and one of those five remains as yet uncleared.
- (2) Western Ringtail Possums are specially protected under the Wildlife Conservation Act 1950, and may only be taken lawfully under a licence issued under the Act. The provisions of the Act relate to the fauna itself, and not to the habitat which the fauna occupies. The ability to protect habitat of threatened fauna is being considered in the drafting of the proposed Biodiversity Conservation Bill to replace the Wildlife Conservation Act 1950.
- (3) The protection of Western Ringtail Possum habitat is effected through the protection of habitat in the conservation reserve system and through the land-use planning and environmental impact assessment processes and vegetation clearing controls. Habitat can also be protected voluntarily on private lands, including through covenanting programs. Where a proposal may pose a significant threat to the environment, the Environmental Protection Authority may assess it under the Environmental Protection Act 1986 and conditions of approval can be imposed to provide protection to Western Ringtail Possum habitat. The Department of Environment and Conservation provides advice on biodiversity assets and management strategies to minimise impacts at various stages of the environmental and planning approvals processes. DEC also liaises with proponents to achieve environmental protection through modified project design, and in the case of the Clydebank project, this resulted in the inclusion of a significant area of possum habitat being excluded from development. The Commonwealth Government also has approval powers in respect of the conservation of Western Ringtail Possums and their habitat through the Environment Protection and Biodiversity Conservation Act 1999.
- (4) Yes.
- (5) The drafting of the Biodiversity Conservation Bill is underway. It is intended that the Bill will be ready to present to Parliament by the end of this year.