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Dear Sir

Submission Re Public Notice: Residential Estate Development Lot 682 Rowley Road, Mandogalup, WA (EPBC ACT REF: 2014/7126)

The Urban Urban Bushland Council presents the following submission regarding the notice citing the above proposal published in the *West Australian*, of May 2, 2014, pursuant to Section 95A(3) of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

The Urban Bushland Council (UBC) is a peak community conservation body with 70 member groups. The Council lobbies for the protection and appropriate environmental management of bushland areas in and around the Perth Metropolitan Area. The Council participates in research and education projects and has been active for about two decades.

The UBC wishes to express its dismay at the prospect of yet another very large bushland remnant area (at least 38 hectares) being cleared for development. The Council has long called for a halt to the clearing of native vegetation on the Swan Coastal Plain and it is particularly concerned regarding the apparently ceaseless destruction of the habitat of our precariously surviving Carnaby's and Forest Red-Tailed Cockatoo populations. The UBC is extremely dissatisfied with the strategy of employing so-called "offsets" to compensate for native vegetation cleared for development as they generally do precisely nothing to address the primary environmental impact – loss of native vegetation. **Shifting other bushland areas into reserve status does not replace lost habitat and the Council is well aware the strategy of employing environmental offsets to attempt to justify clearing operations has no worthwhile basis whatsoever in terms of protecting our natural heritage. The problem is loss of native vegetation and the UBC objects very strongly to its continuing destruction.**

The Council notes that the total area proposed for development is 83.7 hectares, whereas 37.5 hectares within this envelope are described as being native vegetation in "good-excellent condition." It should be noted that "land cleared for agricultural purposes" is almost certainly a preferable land use bordering remnant native habitat than more urbanised forms of development from an ecological perspective. Many species of native fauna will traverse and even utilise pastureland and the relatively quiet and peaceful nature of rural land use would be far more

conducive to the utilisation of the nearby bushland by native fauna than would urban development. **The Council notes that the development of Lot 682 for housing would bring a great many undesirable ecological impacts to large areas of bushland adjacent to the site and in its vicinity.** The UBC is well aware of the numerous ecological threats posed by urban development near bushland areas and while the Referral seeks to make capital out of the fact that there is other bushland habitat in the vicinity of the proposed development it does not appear to take any account of the likely deleterious environmental impacts on those sites of the development itself.

Urban development brings obvious impacts such as fauna being killed or injured by vehicles and greater numbers of roaming cats preying on wildlife, but there are also potential impacts of a more subtle nature such as noise and artificial light which may push fauna away and constrict habitat areas. Urban development also increases the intensity of problems like arson, rubbish dumping, disease spread, Phytophthora Dieback, and inappropriate vehicle usage. These problems do occur in more rural zones but they appear to be less prevalent in such circumstances.

It is the Urban Bushland Council's very strong view that the remnant bushland in Lot 682 constitutes a substantial part of a very large area of contiguous bushland habitat that is too ecologically valuable to destroy. Clearing on the Swan Coastal Plain south of the Swan River is particularly undesirable considering the amount of native vegetation that has been taken from this landscape since European settlement. Satellite imagery does not lie and it is plain for anybody to see that clearing south of the Swan River has been very extensive. The historical and on-going depletion of native vegetation on the Swan Coastal Plain south of the Swan River makes it all the more inexplicable why the provision of funds to DPaW to purchase 170 hectares of Black Cockatoo habitat in Gingin should be considered an appropriate "offset" for the clearing of 37 hectares of good quality habitat in Mandogalup. The UBC is all for conserving native vegetation in Gingin and anywhere else on the Swan Coastal Plain but these areas should be protected anyway.

NATURE AND EXTENT OF LIKELY IMPACT

Threatened Flora

The Referral refers to 9 species of flora listed as being threatened under the EPBC Act as having the potential to occur in the Proposal Area but later refers to 17 species, "3 of which are likely to occur and 14 of which are unlikely to occur." Table 3 only refers to 9 species, all of which are described as being unlikely to occur.

Later under the heading "Threatened Fauna" the Referral again refers to 17 flora species . This does not make much sense and raises some concerns as to the care with which this document was assembled.

Table 3 -Likelihood of EPBC listed flora species occurring within the Proposal Area

The UBC is of the view that *Caladenia huegelii* may well occur in the proposal area but that it might be difficult to detect unless surveys are undertaken over several seasons and perhaps after fire events. It is a known fact that some populations of orchids will flower prolifically in some years and barely at all in others. The fact that a species is difficult to detect should not make it more vulnerable to being lost to clearing works. Flora surveys undertaken in a single season or when flowering prospects are less than optimal – as in very dry years, for example – may not provide sufficient data to draw accurate conclusions about the presence of Listed flora.

Threatened Fauna

Under the heading “Threatened Fauna” is a reference to 3 “flora” species likely to occur and 14 unlikely to occur. It is not clear if “flora” was meant to mean “fauna” in this immediate context. Not only does Table 4 not refer to “flora” but it also only refers to only 8 species of fauna – not 17. This needs to be clarified and corrected.

Table 4 - Likelihood of EPBC listed “flora”(sic) species occurring within the Proposal Area

We can only assume the proponent is aware that birds and mammals are not “flora” but these errors do not engender much confidence in the preparation of this document.

***Calyptorhynchus banksia naso* (Forest Red-tailed Black-Cockatoo)**

The case of the Forest Red-tailed Black Cockatoo is a puzzling one as it has only shown up in any significant numbers on the Swan Coastal Plain around Perth in the last few years. The change in its habits is concerning and is strongly suggestive of some problems in its normal range. We have heard experts speculating on the possible causes of this change in the normal range of the species with some thinking it may be due to reduced drinking water supplies in their more typical range and some thinking it may be due to reduced food supplies. The appearance of the birds in large numbers on the Swan Coastal Plain is troubling in a number of respects – one of those being that it becomes more exposed to hazards such as traffic, power lines, poisons, dogs and numerous other potentially harmful factors that go with the urban environment. Nevertheless, a significant pattern of behaviour has emerged and it will probably become entrenched – unless or until the species becomes extinct. The species is particularly drawn to the Cape Lilac tree in suburban parks home gardens but also makes extensive use of bushland remnants on the Coastal Plain. Natural remnants in more rural environments, such as Mandogalup, are probably safer for the birds than feeding habitat in the more heavily urbanised parts of the city. This is a serious issue as a great many Black-Cockatoos are killed and injured by vehicles every year.

Whatever the explanation, bushland remnants on the Swan Coastal Plain now appear to form a very important part of the feeding habitat of the Red-tailed Black-Cockatoo. There have been some recorded instances of the species actually nesting on the Coastal Plain also but this does not appear to be an established pattern as yet. Our point is that **Banksia Woodland on the Swan Coastal Plain has now become a very important habitat for the Forest Red-tailed Black-Cockatoo** – just as it always has been for Carnaby’s Black-Cockatoo. Sadly, this has not lead to any diminution in clearing operations and, to our disgust, they continue unabated. Hence the continuing net loss of habitat and declining numbers of both species of black cockatoos. This has largely been facilitated by outrageously environmentally destructive “offset” policies which invariably result in a net loss of native vegetation and habitat and a bleaker future for our natural heritage in general. It is the UBC’s very strong view that the clearing of Banksia Woodland habitat should no longer be permitted on the Swan Coastal Plain and that such a change to environmental policy is long overdue. We would also point out that the Forest Red-tailed Black-Cockatoo frequently feeds on the seeds of *Eucalyptus rudis* – another tree species found on the site. While the Forest Red-tailed Cockatoo does not appear at this time to feed *Banksia* species seeds to any great extent, it does feed extensively on associated trees such as *Allocasuarina fraserana*, *Eucalyptus marginata*, and *Eucalyptus todtiana*.

***Calyptorhynchus latirostris* (Carnaby’s Cockatoo)**

Carnaby’s Cockatoo is a very familiar and indeed iconic bird in the landscape of the south west and flocks thereof are a common sight around Perth in the cooler months in particular. However, the flocks are becoming noticeably smaller and there is no doubt the species is in long term decline.

The UBC has long been convinced that not enough has been done in the way of habitat protection to prevent this bird's slide towards extinction. Under the seriously outdated WA State Wildlife Conservation Act, there is no protection for the habitat of listed endangered species. The species' favoured habitat on the Swan Coastal Plain, Banksia Woodland, is still being cleared at an environmentally unsustainable rate and urgent action is needed to prevent further losses. The UBC will never accept the absurd notion that changing the land tenure of a block of woodland in some far flung location somehow compensates for the physical destruction of another block of woodland critical to the survival of endangered species. The UBC regards all Banksia Woodland on the Swan Coastal Plain as being critical to the survival of threatened species such as Carnaby's Cockatoo. Does any government or agency deny this magnificent species is in major decline? Has any government or agency proved that it has arrested - let alone reversed - this decline?

It has been a fairly standard practice for proponents to claim, through advice from their consultants, that it is the loss of breeding habitat in the agricultural region that have caused the decline of Carnaby's Cockatoo. This factor has no doubt contributed significantly to their falling numbers but a peak community organization like the Urban Bushland Council is hardly likely to remain blind to the fact that the greatly diminished existing population struggles to find sufficient remaining natural Banksia Woodland feeding habitat on the Swan Coastal Plain. This is one of the reasons so many of the birds are killed on roads every year. Instead of being able to feed in large remnant areas with abundant food resources they are forced to visit small and widely dispersed sites with food resources throughout the metropolitan area. Exacerbating the problem of habitat loss is the drying of the climate. Trees that are severely drought-stressed are not going to flower or seed as well as trees in more benign circumstances and this places further pressure on the species that depend on them for food. Perhaps equally threatening is the problem of Jarrah Dieback. It reduces tree numbers and tree vigour and it is spreading all the time. It can only be mitigated with intensive management or strict quarantine once it is established in more susceptible areas and it is an environmental disaster in its own right. Banksia Woodland hardly needs bulldozers when it has to contend with this human-introduced disease as well.

The Urban Bushland Council strongly opposes any clearing of habitat required by threatened species – especially a species such as Carnaby's Cockatoo which is regarded with such affection by the West Australian community in general and which is so emblematic of the state's natural heritage. Our observations suggest this species lacks feeding habitat already.

It is our understanding that Carnaby's Cockatoo does not currently breed to any great extent in the more urbanised portions of the Perth Metropolitan Area. Our groups are well-placed to know that suitable breeding hollows in older trees are now uncommon in the metropolitan area – for the simple reason that large old trees are now uncommon in metropolitan area particularly on the Swan Coastal Plain. Large old trees are routinely removed from any areas likely to be regularly accessed by the public as a so called “risk management” practice by Local Government Authorities and other land managers and historic timber cutting has reduce the numbers of such trees to a massive extent on the Coastal Plain in any case. With this being the case any existing trees with nesting site potential should have special conservation status. The experience of the dramatic change in the regional movements of the Forest Red-tailed Cockatoo in recent years has shown that the behaviour of the Black Cockatoo species can alter significantly in a relatively short time frame and it is not impossible that Carnaby's Cockatoo could begin breeding closer into the city – especially in a drying climate.

Assessment of impact on Black-Cockatoos

Table 5 – Assessment of the proposal against the Black-Cockatoo Referral Guidelines

Referral trigger – *Clearing of any known nesting tree*

It may be the case that there is “no evidence of current or past use by Black Cockatoos” of any of the trees identified as potential breeding sites on the land proposed for development but our point is that this does not preclude the possibility that such factors as climate change and continuing habitat loss may lead to Black-Cockatoos endeavouring to breed in areas that are currently not typically associated with such behaviour. Access to good supplies of water and some exotic food sources may draw the birds closer to the city and breeding behaviour would not be unlikely in such circumstances. In such circumstances nesting hollows in large old trees would be a vital resource.

Referral Trigger – *Clearing or degrading of more than 1 hectare of quality foraging habitat.*

It is the Urban Bushland Council’s very strong view that the clearing of such large foraging habitat areas that are in “good to excellent condition” should no longer be permitted. There is no merit in identifying these Black-Cockatoo species are in danger if nothing is done to arrest their decline. It has been our consistent observation that existing Carnaby’s Cockatoo foraging habitat areas on the Swan Coastal Plain are very heavily utilised by existing populations of the species – to the extent that there is reason for presuming that the bird is already faced with a serious threat of insufficient food resources – certainly natural food resources.

Referral Trigger – *Creating a gap of more than 4 kilometres between patches of Black Cockatoo habitat*

The Referral document’s reference to the proximity of other reserves to the proposed development site providing Black-Cockatoo habitat points to the potential of the district to provide a stronghold for the Black-Cockatoo species in the longer term. Carnaby’s Black Cockatoo is already having to move from one modestly sized remnant to another in what appear to be ever declining flock sizes as a mode of gaining sufficient food resources. The UBC objects strongly to the destruction of large areas of good quality habitat in an area where the species has relatively good opportunities for foraging over a quite a large area of reasonably closely-spaced and fairly substantial bush blocks. Whereas the proximity of other habitat areas is generally used as an argument for development we see the erosion of an existing patchwork of bushland remnants as wasting essential conservation opportunities for severely threatened species. The less birds have to move from block to block the less energy they consume and the less stressed they are likely to become. Older, weakened or sick birds may not be able to sustain constant movement over large areas and this strain may well increase mortality. They are also more prone to being hit by traffic as they move through the city visiting small remnants. Commonwealth agencies need only contact Perth Zoo or local wildlife carers to find out how serious a hazard is posed by road traffic around the Perth Metropolitan Area.

Referral Trigger – *Clearing or disturbance in areas surrounding breeding, foraging or roosting habitat that has potential to degrade habitat*

The UBC does not accept the Referral’s assertion that the proposal “will not significantly degrade Black-Cockatoo habitat” The aerial/satellite imagery associated with the Referral clearly shows other substantial bushland remnant areas adjacent to - and in close proximity to – the proposed development site. The “**Trigger**” refers to the potential of a proposal to degrade areas **surrounding** breeding, foraging, or roosting habitat. Even allowing for the pace of on-going clearing works around the Perth Metropolitan Area and assuming the aerial imagery is recent, the proposed development site has substantial bushland areas in very close proximity. We would assume these areas also provide at least foraging habitat for the Black-Cockatoo species. The proposed

development site is in an area where the land use appears to be predominantly rural and in which there are large total areas of remnant bushland. The proposed development – a residential estate – is far less conducive to the conservation prospects of the species than the retaining the existing habitat and protecting surrounding habitat areas from the numerous deleterious environmental impacts that more intensive urban development inevitably brings. We have already referred to the physical hazards posed by traffic but urban development generally increases factors that lead to the deterioration of the condition of the bushland as well. Bushland remnants in quieter and more rural locations can certainly be subject to shocking environmental damage by off-road vehicle users, rubbish dumpers and arsonists, to name but a few pernicious influences. However, the more concentrated population of residential areas seems to bring more destructive environmental impacts. More weeds escape from gardens, more people dump garden rubbish, more people want to access the bushland - either with vehicles or on foot – with all the attendant dieback spread problems, and there are more instances of arson. Furthermore, the wildlife is more exposed to noise, night light and general disturbance. These are not trivial matters when the future of threatened species is being considered. It is the UBC’s strong view that this proposal would not only result in the destruction of 37 hectares of extremely valuable habitat for the threatened species but would also lead to the degradation of the conservation values of other, similarly important habitat areas nearby. The fact that some of these areas may not have reserve status does not affect their existing importance to the species.

Table 6 - Assessment of potential impacts to Black Cockatoo species against significant criteria:

Significant Impact Criterion – *Will the action lead to a long-term decrease in the size of the population?*

Yes. The UBC does not share the Referral’s confidence in asserting that the “proposal will not lead to a long-term decrease in the size of Black-Cockatoo populations.” It would be difficult to prove or disprove the clearing of one block would result in a decrease in Black-Cockatoo populations. We do know that this is a very substantial block (37 hectares of good quality habitat) and that the Black-Cockatoo species have declined very greatly in numbers over the preceding decades. Habitat loss is generally cited as the primary threat to Carnaby’s Black-Cockatoo and no single instance alone of clearing is likely responsible for its current plight. Its current status is obviously the cumulative effect of many decades of clearing operations undertaken for agriculture, forestry, industry and residential development. But the clearing of large blocks such as the one under consideration, given the extent of historic clearing, must inevitably contribute to a significant deterioration in the prospects of these Cockatoo species for survival.

The argument that the Cockatoo species have “extensive ranges” is spurious. This fact doesn’t seem to have saved them from massive decline so far so it is difficult to say why it will protect them in the future. It is also a fact that the birds not only need breeding areas but extensive foraging areas as well. There is no use having protected breeding areas and nesting boxes if there are insufficient readily accessible food resources for them to thrive to maturity and experience a normal life span.

Significant Impact Criterion – *Will the action fragment an existing population into two or more populations?*

The UBC rejects the assertion in the Referral that the Proposal Area “is unlikely to provide important foraging habitat for Black-Cockatoos.” We cannot see the justification for such a claim. These birds utilise such blocks extensively for feeding and 37 hectares of habitat that is rated as

being in “good to excellent condition” is likely to be a very significant resource in the context of the of the Swan Coastal Plain south of the Swan River and in the context of its wider habitat generally.

The Referral states that the Proposal Area is “located in an existing residential area.” The aerial imagery would suggest otherwise and the document itself goes on to say “similarly sized stands of remnant native vegetation are also located in close proximity to the site to the north, east and west.” It is our view that the proposed development would constitute significant habitat loss and contribute to habitat fragmentation. The more native habitat remnants are reduced in size and the more isolated they become the greater likelihood that populations will diminish and disperse. It has been our observation that Carnaby’s Black-Cockatoo flock sizes around Perth seem to be gradually falling such that birds fly about in small numbers looking for relatively small and dispersed food sources. For a bird that has generally appeared to have had a preference for associating in very large numbers, the small flocks generally seen flying around Perth are a sad and disturbing sight.

Significant Impact Criterion – *Will the action adversely affect habitat critical to the survival of the species?*

Yes. It is the view of the Urban Bushland Council that Banksia Woodland vegetation, which is the predominant native vegetation type on the proposed development site, is critical habitat for Carnaby’s Cockatoo in particular but perhaps also for the Forest Red-tailed Cockatoo. The Black-Cockatoo species feed extensively in such vegetation and although they generally do not nest in the area, the changing climate and further habitat loss may trigger such behaviour in the future.

Significant Impact Criterion – *Will the action result in invasive species that are harmful to a critically endangered or endangered species becoming established in the endangered or critically endangered species’ habitat?*

Yes. The UBC can only reiterate its view that urban development – especially residential development - is likely to increase the likelihood of weed and dieback invasion in nearby bushland habitat. Road traffic is a clear spreader of weeds and garden rubbish dumping is notoriously destructive in terms of weed invasion. Weeds contribute to the degradation of bushland and hence habitat quality is affected.

Significant Impact Criterion – *Will the action modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline?*

Yes. It is the UBC’s strong view that the clearing of large remnants of important foraging habitat will cause the species to decline. This may not be readily measurable but analogies of “nails in coffins” and “rivets falling out of aeroplane wings” are not inept in this context. The UBC has had cause to refer to the “death of a thousand cuts” syndrome in a great many instances during its history because every proponent claims their proposed development area constitutes only a tiny percentage of the total habitat area in existence but this is an exceptionally large clearing proposal in a region where native vegetation is not well conserved. The loss of blocks such as this would be very serious “cuts” indeed and we cannot regard them as being environmentally acceptable.

Significant Impact Criterion – *Will the action interfere with the recovery of the species?*

Yes. Again the proponent refers to nearby reserves but as the decline of Carnaby's Cockatoo has not to our knowledge been arrested, nobody is in a position to say sufficient habitat currently exists to sustain the present population let alone an increasing one.

3.3 Other important features of the environment

3.3 (e) Remnant Native Vegetation

It is the very strong view of the UBC that the environmental value of the existing Banksia Woodland vegetation on the site would alone constitute sufficient grounds for its protection. This vegetation type was once dominant on the Swan Coastal Plain and now it is reduced to scattered remnants. Clearing south of the Swan River has been massive and what little is left should be conserved. Banksia Woodland faces very serious threats from Jarrah Dieback, weeds, fire, and climate change. Adding bulldozers to these problems just makes the conservation of anything like a suitable representation of our natural floral heritage on the Coastal Plain just about impossible. For all these reasons, the Banksia woodlands of the southern Swan Coastal Plain are themselves threatened as a community and have been nominated for TEC listing under the EPBC Act. The UBC believes the assessment and approval of clearing of this large site should at the very least be on hold until the assessment of this nomination is completed.

4. Measures to reduce or avoid impacts

The UBC rejects the use of "offsets" to purportedly compensate for the clearing of vital habitat for endangered Black-Cockatoo species. There is a net loss of habitat and that is unacceptable. The whole offsetting concept has, in our view, been an environmental disaster and we oppose it as a matter of principle. Changing land tenures and some additional management applied elsewhere does not make up for destroying essential habitat and it is high time the clearing of habitat utilised by endangered species was banned totally.

The whole offsetting regime applied by governments is an environmental problem of major proportions in its own right and if it is not abandoned it will lead to the inevitable extinction of numerous threatened species. The UBC is totally opposed to the clearing of habitat of threatened species and disputes any claim that it can be compensated for by the acquisition of other habitat areas that should be protected anyway or by funding management tools or practices that should be funded anyway.

Conclusion

The Urban Bushland Council is totally opposed to the clearing of 37 hectares of native bushland habitat on the proposed development site and is of the very strong view that the proposal should be rejected.

Yours faithfully

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