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Appeal against the granting of a clearing permit
**Town of Cambridge Area Permit Lot 520 on Deposited Plan 35670, Jolimont,
Town of Cambridge, Wembley sports complex development, 0.5 ha and 56 native trees.
CPS 5155/1.**

The Urban Bushland Council WA Inc appeals against the granting of a clearing permit for Lot 520, for the Wembley Sports Park proposal.

As stated in the Clearing Permit Decision Report, the number of trees and area to be cleared has been revised from 205 trees and 2.5ha to 56 trees and 0.5 ha. This does not mean that 149 trees will be saved. Non-indigenous vegetation and native vegetation which has been intentionally planted 'is not considered native vegetation under the EP Act 1986 and therefore cannot be assessed as part of this clearing permit application.'

This means that there is no avenue to protect 149 trees.

The Urban Bushland Council's opposition to the granting of a clearing permit relates to Principle (b) and Principle (e).

Principle (b)

(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.

The Clearing Permit Decision Report comments: 'Proposal may be at variance to this Principle.' **The UBC maintains that the proposal is at variance to this principle and therefore the clearing permit should not be granted.**

A copy of the relevant dot points from the Clearing Permit Decision Report under principle (b) is put in bold below, and the comments of the Urban Bushland Council relating to the dot points follow in italics.

- **The vegetation proposed to be cleared consists mostly of mature trees which may provide habitat for avian fauna including Forest Red-tailed Black-Cockatoo and Carnaby's Cockatoo.**

The mature trees proposed to be cleared do provide habitat for avian fauna. Over winter 2012 Lyn Jennings saw Carnaby's cockatoos every Sunday in the Wembley Sports Park when she accompanied her son for sports. (pers comm.. 24 September 2012). Both the Urban Bushland Council and Ms Jennings make the point that both species of black cockatoo use all the available feeding trees, all the foraging vegetation that is available in the area. Carnaby's cockatoos feed on Marri, Banksia, Tuart, Acacia, Allocasuarina, Callistemon, Hakea, Grevillea, Agonis (peppermint trees), liquidamber, macadamia, almond, tipuana, magnolia, Queensland

firewheel, pine, gall, and they ingest insects within and on trees. A whole flock of Carnaby's cockatoo has been recorded on a vacant block on the ground in the Wembley area, eating grass. (Margaret Owen pers. comm 2012)

Forest red-tailed cockatoos feed on Marri, Tuart, Cape Lilac, Allocasuarina, kaffir plum, bushy yate, spotted gum, lemon scented gum, and other species of eucalyptus.

This wide range of food plants indicate that all possible sources of food are used and that the loss of 56 native trees and 205 trees in total would significantly reduce the available food. Therefore the proposal is clearly at variance with principle (b).

The flock of up to 400 Carnaby's cockatoo leave their roost site to the west of the Wembley Sports Park on some mornings and fly east into Underwood Avenue Bushland. After feeding there, investigating hollows and using the bushland for various activities, they may exit at the corner of Underwood Avenue and Selby Street and fly into the Wembley Sports Park.

- **The application area is also located within the buffer zone for a Carnaby's Cockatoo roost site**

A major roost site is one with over 150 birds, as defined by the Department of Conservation. The roosting site for Carnaby's cockatoo, at the corners of Underwood Avenue and Brockway Road has over 300 birds roosting there at the peak time. Over the Swan Coastal Plain, the numbers of cockatoos at roost sites is going down, with big roosts becoming small roosts. DEC's advice is that this fragmentation of big roost site is a classic sign that the species is being lost. Cumulative impacts erode the ability of black cockatoos to survive into the future.

In addition, around 30 Forest red tailed cockatoos are currently roosting along Brockway Road and they too fly out in the mornings seeking food and return to their roost site in the evening. It is estimated that numbers in the area were around 80.

- **Populations of Carnaby's Cockatoos are declining dramatically due to land clearing for agriculture in regional areas and for urban development around Perth (Shah, 2006). Clearing of feeding habitat on the Swan Coastal Plain poses a significant threat to the long term survival of Carnaby's Cockatoos (Shah, 2006)**

This was written in 2006 and the position of Carnaby's cockatoos has not improved: rather it has become more grave. The Great Cocky Count of 2012 'confirmed that there has been a statistically significant decline in the number of Carnaby's in the Swan Region, down 40% to 4036 counted in 2012.....Counts from 38 roost sites monitored over three years in the Swan Region found a statistically significant decline of 58% in the number of Carnaby's counted since 2010. (Birdlife Australia-Great Cocky Count 2012). This is a catastrophic decline in population counts.

In the area around the Wembley Sports Park, clearing of black cockatoo habitat has continued despite warnings of the effect the clearing will have on the flock which uses the nearby roost site. Examples of areas of clearing around the area are: Stubbs Terrace for the Autism Association building, Monash Avenue Bushland for the QE11 development, 130 trees along Winthrop Avenue, around 100 trees at the Perry lakes redevelopment, and bushland on AK Reserve. Trees which were part of the traditional roost site for Carnaby's and were cleared at the Perry Lakes site.

These decisions are at variance with Principle (e) and do not justify further unacceptable decisions for 'small' areas of critical habitat.

Ron Johnstone, ornithology curator WA Museum, has said in relation to the potential loss of Underwood Avenue Bushland: "Now if you just continue to degrade and reduce the amount of available foraging habitat you will lose

that flock.” ... “That flock (of Carnaby’s black cockatoos) around the University of WA grounds in Underwood Avenue there is the last surviving flock in the western suburbs of Perth.”

- **Approximately 20 native trees suitable for either breeding or foraging habitat for black cockatoos have been identified, as well as non native species suitable for black cockatoo species.**

Forest Red-tailed Black cockatoos have been observed mating in bushland within one kilometre of the Wembley Sports Park, and Carnaby’s Cockatoo have been observed mating in Bold Park. These are but two of the mating events observed, so the protection of potential breeding trees is critically important. We submit that the Wembley Sports Park could easily have been designed with the retention of trees as a priority and development designed to incorporate the trees. This was in fact done with the Lindley Lutton design but was rejected. **Therefore the UBC recommends that the design be reviewed and adjusted to incorporate retention of trees as a priority.**

The UBC is particularly concerned about the loss of six very significant Tuart trees in excellent condition in an east-west line across the proposed sports park. The diameter of these tuarts range up to 1050 mm, so they are substantial trees, are in excellent condition and provide potential if not actual nesting habitat for both Carnaby’s and Red-tail Black cockatoos. **It is strongly recommended that these Tuarts all be retained.**

- **Vegetation within Bush Forever site 119 approximately 0.12km south west of the application contains vegetation in better condition which will provide suitable habitat for black cockatoo species.**

Yes site 119 does now provide suitable habitat but **this is an irrelevant and thus invalid argument**, and worse still may be incorrect in the future. The vegetation in Bush Forever site 119 is severely threatened. A housing development is proposed which would destroy the bushland and vital feeding habitat for the two species of black cockatoo. The stand of Banksia prionotes will be destroyed if this UWA proposal is approved under the EPBC Act. This is essential food for the flock of Carnaby’s cockatoo and many other species of resident small insectivorous birds which are locally threatened. The Cockatoos need all the habitat that exists, and clearing of the trees in the WSP will result in a net loss of habitat.

Principle (e)

Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.

In addition the University has said that it will be looking to develop the bushland area which is within the odour buffer. This is a further unacceptable threat. And this is a compelling reason why such proposals as the WSP must not be considered in isolation without considering the context of the adjoining and nearby habitat and how much remains in the area. These habitat areas are suffering from the classic death of a thousand cuts and we expect the DEC and the Minister to acknowledge this and to refuse ‘small’ clearing proposals in an area already extensively cleared.

Thus the Urban Bushland Council submits that the comment: ‘Vegetation within Bush Forever site 119 approximately 0.12km south west of the application contains vegetation in better condition which will provide suitable habitat for black cockatoo species.’ cannot be considered an argument in support of the Wembley Sports Park development as under State approvals it will mostly be destroyed.

Very little native vegetation remains in the area (less than 10%) and loss of further small areas and connecting remnants and tree linkages is unacceptable and at variance with principle (e). Therefore the proposal should not be approved.

- **Fauna mitigation practices will help mitigate impacts from the proposed clearing to these fauna species**

No so-called 'mitigation practices' will replace the net loss of habitat for black cockatoos. New habitat cannot be created overnight to replace the loss of large mature tree habitat cleared in a day. Therefore this argument to justify clearing is actually nonsense and should be totally dismissed.

Dr Andrew Weavers, Director of approvals, Wildlife Division DEWHA stated that it takes 15 years for foraging habitat for cockatoos to grow back. (2012). Both Forest red-tailed cockatoos and Carnaby's cockatoos need new foraging habitat now.

Conclusion

1. The proposal is seriously at variance with clearing principles (b) and (e) and should not be approved.
2. It is possible to design a sporting park which protects native and other significant habitat trees. The Urban Bushland Council calls for the planning bar to be raised to protect our urban assets and for the survival of two iconic endangered species of Black Cockatoos of the Perth region which regularly use the trees.

Yours faithfully

President
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