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Comment on Preliminary Documentation: EPBC 2020/8620 for Lot 1401 Fifty Rd Baldvis, by the Urban Bushland Council WA Inc. (UBC).

The proposed action has been referred under the EPBC Act (EPBC 2020/8620) and is a 'controlled action'. The Controlling Provision is 'Listed Threatened Species and Communities (S18 and 18A)'. The proposal is to clear 4.4 ha of native vegetation on Lot 1401 Fifty Road, Baldvis, for residential and commercial development.

The Matters of National Environmental Significance (MNES) as identified by the Department of Environment and Energy and addressed by PGV Environmental (PGV) are:

- Tuart (*Eucalyptus gomphocephala*) Woodlands and Forests of the Swan Coastal Plain Threatened Ecological Community – Critically Endangered;
- Baudin's Black Cockatoo (*Calyptorhynchus baudinii*) – Endangered;
- Carnaby's Cockatoo (*Calyptorhynchus latirostris*) – Endangered; and
- Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksii naso*) – Vulnerable.

The invitation is to comment on the Preliminary Documentation.

1. Offset offered does not justify clearing

The proponent has proposed to offset the direct impacts on MNES by:

- 'Re-establishment of 3.3ha of High quality Tuart Woodland in the Rockingham Regional Lakes Regional Park; and
- The purchase and subsequent ceding into conservation estate of 21 ha of land with high values to the State's Conservation Estate, including Black Cockatoo habitat, located adjacent to the Moore River National Park in the Shire of Gingin'. (p i PGV)

It is the UBC's strongly held view that destruction of Tuart woodland and forest patches and areas of high value habitat for the three species of Black Cockatoo cannot be offset, no matter how generous or beneficial to the sites proposed for the offsets. The Tuart patch on Lot 1401 is part of our nation's **critically endangered threatened ecological community**.

The PGV Referral has some contrasting information as to whether the Tuart Woodlands and Forests of the SCP aligns with the Conservation definitions. In **Summary and Conclusions** (p17)PGV Report), it is stated that:

The vegetation containing Tuart trees is not representative of the Tuart Woodlands and Forests of the Swan Coastal Plain TEC due to the poor condition of the understorey and small size of the areas containing Tuart trees.'

The UBC believes that the proposed development site is part of a larger area (ie that bushland to the east), in which case the area of Tuart Woodlands is greater than 0.92ha. If the developer is the same owner of the bushland to the east, then the piecemeal fragmentation to facilitate approval due to the size of a patch, is certainly not supported and the proposal should not be approved. If, on the other hand, we are to judge the application as is, ie Lot 1401, the UBC strongly suggests that the Lot 1401 vegetation is of great significance in its own right and that it has significant landscape, linkage and habitat values.

The main reason this community is critically endangered, is because of continual clearing.

The UBC understands that it is now considered by the WA State Government that offsets around Gingin are no longer appropriate. They are not 'like for like'.

2. Significant impact

As the whole of Lot 1401 is proposed to be cleared, the UBC maintains that the proposal, if implemented, would have a significant impact on all four MNES.

PGV states:

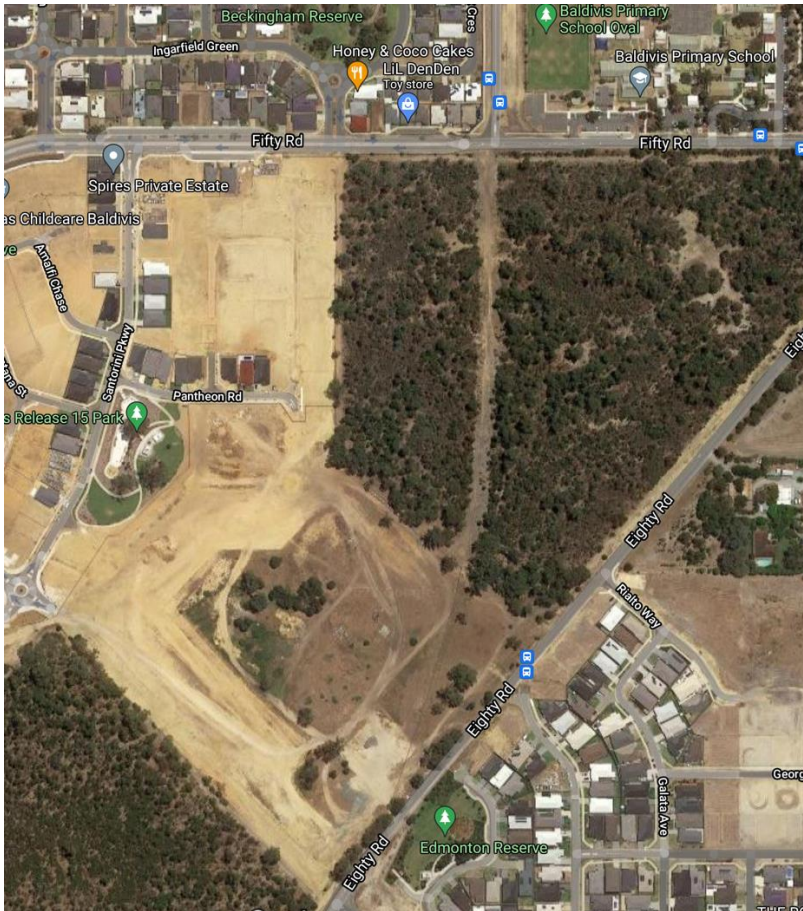
As there is no ability to retain any of the native vegetation in the development the proposed action will result in significant residual impacts to the Tuart Woodland TEC and Black Cockatoos (p19 PGV) (UBC emphasis)

One of the prime reasons for the clearing of the whole site is:

'due to the significant cutting of existing surface levels that will be required as part of bulk earthworks and limitation on where POS areas can be located due to drainage requirements.' (p19 PGV)

The suggestion that the approved LSP 'could provide opportunistic retention of mature trees within POS areas and streetscapes, where they align with streets, are practical and where safe for the public', has to be impossible in this State's pro-development climate and with the action of developers to clear in the least expensive manner. (p 19 PGV).

The screen shot below from Google maps is inserted to demonstrate the clearing that has occurred to the west of the site where not one tree is left standing. In addition, the bushland area to the east of the site (bounded by Fifty Road to the north and Eighty Road to the south-east) looks like it will be subject to a further development application. In this manner, by the process of attrition, our national and state critically threatened species and patches become more threatened. The cumulative impacts of clearing are very significant and are unacceptable.



Google map screen shot.

The suggestion that road verges will be planted with Cockatoo-friendly foraging trees is not a mitigation as cockatoos feeding on roadside trees get hit by cars. This is no compensation for clearing 0.92ha of Tuart Woodlands and 4.4ha of cockatoo habitat.

3. Tuart Woodlands and Forests of the SCP – critically endangered ecological community

The ecological community ‘Tuart Woodlands and Forests of the Swan Coastal Plain’ has been either heavily cleared and/or degraded across much of its range. (p 18 Tuart Report)

The Tuart ecological community can occur ‘*in a variety of forms, most commonly open forest, woodland and open woodland,*’ (p 9 Approved Tuart Conservation Advice)

Patches of size 0.5ha to 5ha ‘*are presumed to be part of the nationally protected ecological community.....*’ (determined by surveying) (p24)

PGV states that the Tuart woodland on the site is 0.92ha of ‘*moderate quality*’ (p I Executive Summary.) Any Tuart tree should not be destroyed. In addition, neither should Marri and Jarrah trees.

Key Steps to identify patches: Step 3: Diagnostic characteristics

- The primary defining feature is the presence of at least two living established *E. gomphocephala* trees in the uppermost canopy layer....
- The patch boundary is 30 m beyond the outer canopy of the established Tuart trees (> 15cm DBH, including dead Tuart trees (p21)

The surrounding context of a patch must also be taken into account when considering factors that add to the importance of a patch that meets the size and condition thresholds – Section 3.4.5.

PGV environmental conclude that the Tuart vegetation on the site is not representative of the Tuart Woodlands and Forests of the SCP TEC. It is obvious that the Federal Department of the Environment wants to protect Tuart Woodlands and Forests from further loss as this is consistent with the Approved Conservation Advice under the EPBC Act – which states that the objective is to *‘PROTECT the ecological community from further loss of extent and condition.’* To put forward an argument based on degraded understorey and distance of one patch from another, does not give hope for the protection of these amazing trees. They grow to great heights on the most impoverished soils.

4. Buffer zone

The buffer zone recommended is 30m from the outer edge of the patch – making the buffer a further 30 m past the canopy, ie 60 m). This will help protect the root zone of edge trees and other components of the ecological community from physical damage from earthworks, spray drift (fertiliser, pesticide or herbicide sprayed in adjacent land), weed invasion, water runoff and other damage. This buffer is an indication of the value placed on Tuart trees and patches.

5. Tuart Woodlands and Black Cockatoos

Amongst the changes observed is an increase in importance of areas including Tuart woodlands and forests on the southern part of the Swan Coastal Plain for breeding, making these areas critical for these species (Johnstone et al 2006; 2010; Johnstone and Kirkby 2016). (p.16 Tuart Approved Conservation Advice)

Table 5: Impacts on MNES
From PGV

MNES	Listing	Impact
Direct Impact		
Tuart Woodland TEC	Critically endangered	0.92ha
Indirect Impact		
Baudin’s Black Cockatoo	Endangered	4.4 ha potential roosting habitat 4.4 ha High quality foraging habitat
Carnaby’s Cockatoo	Endangered	46 Potential breeding habitat trees 4.4 ha Roosting habitat 4.4 ha high quality foraging habitat
Forest Red-tailed Black Cockatoo	Vulnerable	46 Potential breeding habitat trees 4.4 ha Roosting habitat 4.4 ha high quality foraging habitat

Black Cockatoos

From the above table (in PGV’s report) the UBC and readers can see the potential loss that would significantly impact on the three species of listed endangered Black Cockatoos. Marri, Jarrah and Banksia seeds are quality foraging food and these trees provide quality habitat.

The fact that there are x thousand ha of vegetation within 12 kms of the site, (p 14 PGV 3. Assessment of Impacts), with the implication that therefore the loss of habitat on this site is not significant, is belied by the fact that all species of black cockatoo are in decline and have declined over years. All their remaining habitat is now significant, and as stated by Johnstone et al above, it is **critical habitat**.

The UBC does not agree with PGV that *‘Potential impacts would only be at risk of occurring for a temporary period of time, being the duration of the clearing process.’* (p14 PGC 3. Assessment of Impacts). Loss of foraging habitat through the clearing of the whole of Lot 1401 would not be just a temporary loss, it will be a significant permanent net loss which is unacceptable.

6. Cottesloe Central and South Vegetation Community

It is stated in the PVG Report (p. 17 Summary and Conclusions) that Cottesloe - Central and South Vegetation Complex '*has a percentage protection above the 10% minimum criteria in the Perth and Peel Region...*'

In the EPA Report 'Perth and Peel @ 3.5 Million,' July 2015, the Cottesloe - Central and South vegetation complex in secure for conservation areas is 9.5%. And that was 2015 figures, so the figure is now likely lower. A minimum retention of 30% is the preferred target.

While this may not be a matter of the federal government's assessment of impacts on MNES, it is however, indicative of the clearing and fragmentation that continues to occur in and around Perth and Peel in SW of WA. Every proposed development is deemed to support jobs in a Covid 19-led recovery. But the consequences for nationally endangered species and habitats are evident and their protection must come first.

Conclusion

As this proposal referred to the federal government was considered to be a *Controlled Action* because of listed Threatened Species and Communities (S 18 and 18A), the UBC submits that the site should be fully protected and clearing not permitted. The proposed offsets do not compensate for the loss of critical habitat of Tuart trees or patches, nor of habitat and potential roosting and breeding trees and current food for black cockatoos. Other factors such as Climate Change and fragmentation of linkages are also relevant and significant.