



Mattiske Consulting Pty Ltd

June 27th, 2017

Dr Anne Mathews
Department of Environment Regulation
Locked Bag 33
Cloisters, WA 6850

Dear Anne

Re: Clearing Application for Lot 400, Canning Road, Carmel, Western Australia

This application is a subset of a former application withdrawn application on this property (previous EPBC 2016/7647). This application is also a variation on CPS 6926.

1. Proposed Action and Its Location

Lot 44, Canning Road, Carmel abuts well developed orchards in the Carmel area which have been used for orchard activities for some 4 generations. This application includes clearing and area of 9.24ha for an orchard operation. The proposed application area includes historically degraded areas. This application has taken into consideration a need to reduce the proposed clearing area and to reduce the number of larger trees with hollows (noting that many of the larger trees are either very stressed or dead and are generally unsafe as most have a burnt out hollow in the base of the tree); although no nesting activities were recorded in these trees by Black Cockatoos.

The proposed clearing area includes sections that have been used historically for a cattle yard and has been heavily logged in the past for a former nearby historical timber mill. The area occurs in a valley system that has had orchard activities operating in the valley for some four generations. This area does not occur within a public water supply catchment.

More details associated with baseline property values, proposed actions, consultation, management and mitigation measures are summarized in the following

The following summaries provide a summary of the key changes in the application and these relate to the following aspects:

2. Property Baseline Values

This application relies on previous baseline studies undertaken in 2015 and 2016 (Mattiske Consulting 2015 and Western Wildlife 2016) and also on recent updated information relating to the revised application area (see additional documents attached Mattiske_AA1701_Appendix A Photographs and Mattiske_AA1701_Combined Maps) and summaries below.

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3. Reduction in Area of the Proposed Application

The application now covers **9.24ha** (as compared with the previous **16.8ha**), i.e. a reduction by **45%** of the former application area (EPBC 2016/7647). Of the 9.24 ha, 4.85ha has been previously logged heavily due to the historical presence of a nearby timber mill, 3.84ha has been previously logged heavily and was also a cattle yard (as evident in degraded understorey, regrowth, old fencing and previously established tracks and cleared areas) and 0.55ha of previously cleared areas.

4. Impact on Protected Matters under the EPBC Act 1999

4a. **No new listed species** have been recorded in the proposed clearing area, despite regular visitation to the area since 2015 by experienced ecologists. The area does not support and is unlikely to support the following listed species due to the lack of wetlands and the lack of suitable habitats for the Mallee Fowl, Australian Painted Snipe, the Woylie, Western Ringtail Possum or Quokka. The Chuditch (Western Quoll) has been recorded in the wider forest areas of the southwest and therefore this species might occur in the area; although it has not been observed or recorded in the area.

The main issue remains the potential impact on the listed Black Cockatoos (see Item 5. below) and the previous baseline documents by Mattiske Consulting (2015) and Western Wildlife (2016).

4b. The recently listed **Threatened Ecological Community (the Banksia Woodlands on the Swan Coastal Plain)** is **not relevant** and present as the area under application occurs in the Northern Jarrah Forest (see Figure 1 in the attached updated Mattiske_AA17-1_Combined Maps June 2017.pdf). This boundary related to the IBRA boundaries as defined for Western Australia. Further the vegetation in the proposed clearing area is not a Banksia woodland (see Mattiske_AA1501_Report and Appendices).

4c. Despite searching in multiple seasons, **no threatened flora species** have been recorded in the application area.

4d. The biodiversity values of the proposed clearing area have been markedly reduced as a result of previous cattle yards and historical disturbance in the area. The degree of disturbance is reflected in the aerial photographs (Mattiske_AA1701_Combined Maps June 2017 – Figures 2 and 6), the lack of tree cover in areas that have been historically cleared and modified (Mattiske_AA1701_Photograph Appendix) and the previous baseline studies by Mattiske Consulting (Mattiske_AA1501_Report and Appendices) which reflected recording over multiple seasons and targeted searches for flora species.

5. Black Cockatoos

As indicated in previous correspondence the impact on the Black Cockatoos is not considered to be significant in the local or regional context for the following reasons.

5a. The application area has been reduced from 16.8ha to 9.24ha; thereby reducing the impact on the potential foraging areas and also the number of trees that support larger hollows

- The application now has reduced the number of larger trees with Diameter at Breast Height (DBH)>100cm that have larger hollows from 7 to 1 in the proposed clearing areas (ring and orange colouring on symbol on Map 6 in attached Combined Maps).

- The application now has reduced the number of trees with larger hollows from 9 to 4 (DBH <100cm but >50cm) (no ring and orange colouring on symbol on Map 6 in attached Combined Maps).
- 5b. None of the trees with hollows were checked for current use as some of the trees were unsafe (see notes in Appendix A attached on trees) and further, the local orchardists that have operated the adjacent orchards for some four generations have not observed any nesting activities in these remnant areas on Lot 400. It should be noted that some of the larger trees were not logged at the time of the historical logging as the base of the trees had been burnt out and were persisting as at the time of historical logging the boles of these trees had been damaged and in some cases remained largely hollow at the base.
- 5c. Whilst foraging activities by the Black Cockatoos have been recorded by the botanists, ecologists and zoologist during 2015, 2016 and 2017, this foraging was observed to be intermittent and occasional.
- 5d. As indicated in the extent of vegetation in the wider regional setting map in Figure 8 (Mattiske_AA1701_Combined Maps), the area under consideration is minimal. As indicated in the data in Table 1, 9.24ha of proposed clearing constitutes 0.158% when compared with the 58,324.40ha extent of the remnant forest areas within a 10 kilometre radius which provide less disturbed and Department of Parks and Wildlife protected environments for the Black Cockatoos. The latter percentage is lower when other areas of vegetation are taken into consideration as reflected in the aerial imagery on Figure 8 (Mattiske_AA1701_Combined Maps).
- 5e. Since the former application submitted (2016/EPBC 7647), several larger trees south of the fence that were highlighted by the Department of Parks and Wildlife officers as potential larger trees with potential hollows were destroyed by the controlled burning activities undertaken by the Department of Parks and Wildlife in 2016. This fire led to two of the marked trees falling to the ground at the base of the trees and over the fence that had been constructed by the Vincenti family after negotiation and previous approvals. The fences were repaired by the Vincenti family (taking time and resources).

The local Department of Parks and Wildlife officers also used the established boundary firebreak track on the southern fringes of Lot 400 to access and control the northern boundary of the control burn (see Figure 9 in Mattiske_AA1701_Combined Maps).

Table 1: Summary of Extent of Remnant Vegetation in Ten Kilometre Radius under some level of Protection

Category of Area with 10km radius	Area(ha)
5(1)(g) Reserve	74.51
5(1)(h) Reserve	18.53
Conservation Park	106.25
Crown Freehold - Departmental Interest	2,866.16
Miscellaneous Reserve	53.11
National Park	20,349.14
Nature Reserve	507.61
SRT - River Reserve	417.08
State Forest	33,932.03
Total	58,324.40

Consequently, the interpretation of the significance of the area to Black Cockatoos is open to debate as:

- the area proposed is minimal in the local context (10km context),
- the area has been subjected to past clearing and grazing pressures that are still apparent from the loss of tree canopy, presence of tracks, presence of lupins and other weeds in the application areas,
- the degraded nature of some of the regrowth stands,
- the presence of previous tracks and fencing within the proposed clearing area (see attached photographs), and
- the absence of observations on nesting activities.

Whilst the Black Cockatoo had been observed foraging by the ecologists, this was limited and intermittent and should be considered in the context of the wider extent of less disturbed environments.

6. Feasible Alternative to the Proposed Actions

There are no feasible alternative to the proposed action as the proposed clearing is required for orchard operations. Every effort has been made to reduce the proposed application area and to minimize the impacts on the Black Cockatoos foraging and potential nesting activities.

7. Avoidance, Mitigation and Offsets

Avoidance is not feasible, however every effort has been made to minimise the impacts by reducing the area, limiting the proposed clearing to previously degraded areas, undertaking ongoing weed control measures on the property and minimising the potential impacts on the Black Cockatoos.

Offsets have been discussed with state agency officers and in view of the current success of the Carnaby Cockatoos nesting in artificial nesting boxes; one option for residual impacts on the Black Cockatoos would be to obtain the specifications from local Cockatoo experts and supply some nesting boxes to relevant state government researchers to place in more suitable protected forested areas.

8. Consultation Efforts

Consultation has been undertaken over several years with Shire of Kalamunda officers, Department of Parks and Wildlife officers, Department of Environment Regulation officers, Water Corporation staff, Department of Agriculture and Food officers, local landowners and various community representatives.

In addition, the role of aboriginal people is not relevant to this freehold land.

Please contact myself or Garrie Vincenti if the points raised above are not clear.

Yours sincerely



Dr Libby Mattiske (Mattiske Consulting Pty Ltd) on behalf of the Vincenti family (Weemala Orchard, A., A.M., G.M., G. and J Vincenti of 60 Morton Road, Carmel WA 6076)