

## Office of the Shire President

File Code: PS.TPS 4.3.034

28 October 2024

Hon Tanya Plibersek MP  
Minister for the Environment and Water  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Dear Minister Plibersek

**RE: Reconsideration of EPBC 2018/8382 Structure Plan 34, North Stoneville**

I am writing to convey our deep disappointment regarding the decision made on 16 September 2024 to grant Environmental Protection Biodiversity Conservation (EPBC) approval for 2018/8382 Structure Plan 34 – North Stoneville townsite.

At the Shire of Mundaring 8 October 2024 Ordinary Council Meeting, Council unanimously resolved that the Shire President write to you as Minister for the Environment and Water to express the following:

1. Disappointment with the recent decision to grant EPBC approval for the clearing of approximately 200 hectares of land at the North Stoneville site as although a large portion of the site is designated Local Natural Area (LNA), the Shire has requested the MRS is amended to rezone this rural so that the LNA is protected;
2. Concern for the impact of the destruction of breeding ground and habitat for threatened species including the endangered Carnaby, endangered Baudin and the vulnerable Forest Red Tailed Black Cockatoo;
3. Alarm at the loss of over 60,000 trees, which will result in significant damage to the region's biodiversity, with numerous species depending on this ecosystem for food and shelter;
4. Concern that the developer's proposal of offsetting significant clearing is at Williams (WA), which is not within the Shire of Mundaring;
5. Further, the letter should urge Minister Plibersek to reconsider this decision under Section 145(2)(b) of the *Environmental Protection and Biodiversity Act 1999* as the Minister may not have had sufficient information when making her decision; and
6. Release the letter to the Shire of Mundaring community.

This EPBC Act approval was classified as a controlled action and assessed in light of its potential impact on matters of national environmental significance (MNES), particularly concerning:

- Carnaby's Black Cockatoo (Endangered)
- Baudin's Black Cockatoo (Endangered)
- Forest Red-tailed Black Cockatoo (Vulnerable)
- Chuditch (Vulnerable)
- Star Sun Orchid (Endangered) Leafless Rock Wattle (Vulnerable)
- Carter's Freshwater Mussel (Vulnerable)
- Zigzag Grevillea (Vulnerable)

Council and our community have expressed strong concerns regarding this site, particularly relating to the environmental implications outlined above. In light of the aforementioned community and environmental concerns the Shire of Mundaring is formally requesting that you reconsider your decision under Section 145(2)(b) of the EPBC Act 1999 to consider current information.

To support this request the following information is provided;

### **Environmental Impact on Local Natural Area**

The Mundaring Shire Council has long been concerned about the protection of the Local Natural Area (LNA) within the EPBC 2018/8382 area. This concern prompted our request to the State Government to amend the Metropolitan Regional Scheme to rezone the land from Urban to Rural, ensuring the future protection of the LNA. The State Government is currently awaiting a decision in relation to Structure Plan 34 (SP34) from the State Administrative Tribunal (SAT) before proceeding with this amendment request.

The LNA in question is classified as Dwellingup and Yarrigal 1 vegetation. Although the recent request for further information and response from the applicant's consultant JBS&G (2024) indicates that these vegetation communities are over-represented within the Commonwealth's retention threshold, they are nonetheless at high risk of development and fragmentation in the Perth Hills. The Shire's Local Biodiversity Strategy emphasises the priority for conservation and protection of LNA within the North Stoneville site.

Species such as the Star Sun Orchid, categorised as vulnerable, further illustrate the biodiversity importance of this area. Notably, the flora and vegetation survey for this species, conducted in 2016 and 2017, suggests that the habitat may not be sustainable. Given the time elapsed, we believe that more recent surveys are required to adequately assess the current impact on vulnerable flora species and deem that a new flora and vegetation survey is warranted.

## Threatened Black Cockatoos

The Mundaring community are gravely concerned about the impact of habitat destruction for the endangered Carnaby, Baudin, and vulnerable Forest Red-tailed Black Cockatoo and Chuditch. The proposed loss of over 60,000 trees threatens local biodiversity, with numerous species depending on this ecosystem for food and shelter.

The SP34 EPBC decision, coincides with evidence in and around the Perth area (including the Perth Hills), of a chronic food shortage for Endangered Black Cockatoos following an unprecedented hot and dry Summer (2022/23), that has severely interrupted and curtailed seed production on which Black Cockatoos rely on for food. Wildlife officers are reporting that Black Cockatoos are suffering or dying from the effects of this food shortage. The 2022/23 summer drought has left thousands of trees, many of which are important habitat and food sources for Endangered Black Cockatoos, standing dead or dying across Perth, the Darling Scarp, (the Perth Hills) and further south in WA. The scale of this environmental emergency cannot be ignored alongside a decision to allow 60,000 healthy trees to be destroyed in an area that supports Black Cockatoos.

While the EPBC 2018/8382 outlines requirements for clearing black cockatoo habitat, we believe that the assessment of potential nesting trees—those that may not currently possess hollows but could develop them—has not been sufficiently addressed. The North Stoneville site falls within a confirmed breeding and roosting buffer. The potential removal of these trees could severely impact known black cockatoo populations given that breeding trees can take over 100 years to develop.

We believe that further comprehensive surveys are necessary to accurately assess the presence of potential habitat trees. The current methodologies used in the Response to Request for Additional Information (JBS&G, 2024) seem inadequate for the scale of this development and its potential effects on MNES.

Further, consequential and cumulative impacts of clearing black cockatoo habitat should take into consideration Asset Protection Zones and bushfire mitigation requirements of surrounding properties within the 6-12km radius of the North Stoneville site. This consideration of clearing for bushfire mitigation may increase the inherent risk rating.

Additionally, we request that the most current cumulative habitat loss be considered. In 2021 more than 11,000 hectares of biodiverse environment, including Black Cockatoo habitat, was destroyed or severely damaged in the Wooroloo Bushfire and swathes of this region remain destroyed, damaged or still recovering, which places further pressures on Black Cockatoos in this region.

## **Offset Proposal**

The Shire is also concerned that the developer's offset proposal is located approximately 184 kilometres from the development site (refer to Appendix 1).

While we appreciate the intentions of nature-positive offsets, we believe the proposed site in Williams does not adequately represent the ecological characteristics of North Stoneville and is outside the black cockatoo breeding area of the Perth Hills.

## **Conclusion**

Environmental sustainability is a key strategic priority for the Shire of Mundaring and our community, reflected in our commitment to addressing valid concerns regarding the ecological impact of the proposed North Stoneville development.

In light of these significant environmental considerations, we respectfully request your reconsideration of EPBC approval 2018/8382 under Section 145(2)(b) of the EPBC Act 1999.

Thank you for your attention to this urgent matter and we look forward to receiving your response to Council's request.

Yours sincerely

**Paige McNeil**  
**SHIRE PRESIDENT**

# Appendix 1:

## Stoneville, WA to Williams, WA

