**Suggestions for Comments on EPBC portal**

**Where exactly to find the site:**

[**https://epbcpublicportal.awe.gov.au/all-referrals/project-referral-summary/project-decision/?id=44f9e04a-f052-ef11-bfe3-00224810f0ef**](https://epbcpublicportal.awe.gov.au/all-referrals/project-referral-summary/project-decision/?id=44f9e04a-f052-ef11-bfe3-00224810f0ef)

**Main focus of your Comments:**

Remember that in relation to the EPBC Act, the Department of Environment and Water is interested in the fate of:

* Protected species
* Endangered ecological communities such as the totality of the Box Gum woodland (not just the trees but the understorey, the grasses, the fungi and insects that depend on it)

**New Information** since the Referral was made in 2019:

1. **Swift Parrots**- the 2019 Ecological Impact Assessment dismissed the site as unlikely to be habitat for the critically endangered birds because there was little data on the birds visiting the site. Statements made by 3 ANU researchers belonging to the Difficult Birds Research Group have refuted this.

In the 2 Reconsiderations you have before you, you can refer to statements by:

* Prof. Robert Heinsohn
* Dr Deb Saunders or
* Dr Laura Rayner, **or all three**

You could also point out that there is now a National Plan to protect Swift Parrot habitat, not just in Tasmania but importantly on the mainland where the birds migrate to in autumn, so felling foraging trees for the Narrabundah Lane entrance to the crematorium will almost certainly contribute to the birds’ extinction.

Note that these experts have written about the importance of the loss of even **small patches** of foraging trees and the **cumulative effect** of many small losses over time.

Note also that Dr Rayner concludes that the development is NOT suitable for this site and another site needs to be found.

1. **Gang- gang cockatoos**- listed now as endangered under the EPBC Act since 2 March 2022, the 2019 EPBC Referral fails to even mentionthisspecies which has been the faunal emblem of the ACT itself since 1997 and is widely recognised as the insignia of ACT Parks and Conservation Service.

The 2019 Ecological Impact Assessment used in the Referral mentioned the Glossy Black Cockatoo, but concluded that there wouldn’t be any on the crematorium block because there were no Casuarinas there for them to feed on.

Most self-respecting bushwalkers and bird watchers could point out specific trees in bordering Callum Brae Nature Reserve where they have seen breeding pairs at the end of winter/beginning of spring, as well as Red Hill reserve. Note that the Crematorium block plays a key **connectivity** role between these reserves and on into Isaacs Ridge and Wanniassa Hills reserves.

Searches in April 2024 of the EPBC Protected Matters Search Tool have listed Gang-gangs as known within a radius of 5km of the crematorium block and the EIA notes that they used this search tool as part of their desktop searches, and yet the birds were not even mentioned in the Capital Ecology report.

Various April searches on the PMST brought up 42 protected species within a 5 km radius of the block, but the 2019 Referral stated there were **no protected species** on the site, and this after just 2 days of surveys in September 2018 (not the 8 days implied in the 12-20 September response in the Referral).

In her August 2021 application for EPBC listing of Gang-gangs on behalf of the ACT Conservation Council, Helen Oakey as director noted the pressures the birds were under even in the ACT and warned that strong measures were needed to avoid extinction, especially given the increasing threats with **climate change**:

*As Gang-gang Cockatoos are cool temperate birds, it is reasonable to assume that they will be particularly vulnerable to climate change. During the end of the 2019/2020 breeding season, Canberra experienced record daytime temperatures and high levels of smoke haze. During this period unusual Gang-gang Cockatoo chick behaviours and mortality occurred that had not previously been observed[[1]](#footnote-1)….*

1. **Golden Sun Moth**- The EIA recognised the critically endangered EPBC status of the moth, but dismissed the likelihood of the moths being present on the block, even though Wallaby Grass was recorded in 4/6 survey plots of those 2 days in September. Wallaby Grass is important in the breeding cycle of the moth.

The removal of over 100 mature native trees and unknown amounts of soil in the development process would almost certainly eliminate this habitat.

**See further notes** in the 2 Reconsideration requests for impacts on other protected species, especially small birds that rely on an **understorey** for protection and foraging as well as a bigger bird such as the Little Eagle that feeds on smaller animals. The understorey of the Box Gum Woodland is already partly compromised by potentially illegal “clean-ups”.

1. **Protected Ecological Community: Red Box/ Yellow Box Grassy Woodland**

The most destructive aspect of this development is the **fragmentation** of the remnant Box Gum woodland caused by the main entrance road leading in from Narrabundah Lane, and the 103 car parking spaces at the end of it.

Ian Walker’s 13 November 2019 Nature Conservation (Native Woodland) Action Plans[[2]](#footnote-2) list the key objectives of the plan as:

* protect **remaining areas** of Endangered YB-BRG Woodland from unintended impacts
* maintain the ecological values of Endangered YBBRG Woodland to promote ecosystem function and prevent biodiversity loss, including maintaining:
* understorey structural and floristic diversity in Endangered YB-BRG Woodland
* **optimal habitat for threatened species**, including keystone structures
* improve the condition and ecological function of Endangered YB-BRG Woodland by undertaking **restoration**
* improve understanding of Endangered YB-BRG Woodland ecology, restoration principles and best practice threat management
* strengthen stakeholder and community collaboration in the conservation of Endangered YB-BRG Woodland.

The 2019 EPBC Referral application states that no opportunities for restoration will be lost, but rather enhanced by InvoCare’s plantings and care of the woodland. This was offered after their initial plan to parcel up the woodland into 5m2 plots for the scattering of ashes was rejected by the federal department.

Given that InvoCare has since been bought out by San Francisco based private equity company Texas Property Group, and the absence of any precise postconstruction management plan, it is very difficult to see how their proposed WMP (Woodland Management Plans) will protect the woodland[[3]](#footnote-3).

Ian Walkers’s Action Plans also list the many threats facing Box Gum Woodland in general:

* Urbanisation also has the potential to degrade YBBRG Woodland, and the effects of disturbance may be greatest proximal to urban areas.
* Urbanisation can reduce the condition of YB-BRG Woodland and **disrupt ecological function** through direct human disturbance (e.g. high visitation, track creation), habitat modification (e.g. firewood and rock removal), poaching (i.e. illegal plant and animal collection), nutrient enrichment (e.g. urban run-off), pollution (e.g. **noise, light**), biotic homogenisation (i.e. the loss of habitat specialists), altered fauna communities (including predator and competitor abundances)
* altered **hydrology**, and increased pest invasion (plants and animals) (Alberti 2005).
* Management of urban-related threats to YB-BRG Woodland condition and biodiversity require sensitive and strategic management, particularly in woodland remnants located on the urban fringe (Ikin et al. 2015)

A crematorium operating up to 7 days a week, served by 103 car parking spaces, would cause most of the above threats to protected species.

Note that there was no mention of the **Caretaker’s Cottage** in the 2019 Referral, a future addition to the crematorium that the proponents would likely deem, even though the EPBC Referral stated that the development was NOT in 2 stages.

Creeping urban edge effects from developments along Mugga Lane, and the expansion of the Boral Quarry on the southern edge of Callum Brae Nature Reserve, are already being felt in nearby reserves.

1. Helen Oakey, *Submission to Australian Government Department of Agriculture, Water, and the Environment: Gang-gang Cockatoo Listing Assessment,* August 2021 [↑](#footnote-ref-1)
2. Disallowable instrument DI2019–255 made under the Nature Conservation Act 2014, s 104 (Draft action plan—revision) and s 105 (Draft action plan—final version and notification) [↑](#footnote-ref-2)
3. You could consult Michael West Media’s analysis of accounting problems already experienced in NSW where it manages 11 Memorial Parks, if you are troubled by this aspect of the development in regard to on-going environmental protections. [↑](#footnote-ref-3)