

Contact: -
Date: 13th June 2019
Site: Byrne Valley
Client: Heatley Cattle Co.

Byrne Valley HVA – Response to draft preliminary documentation – Public comments

Draft preliminary documentation was submitted for public comment in accordance with the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

Pursuant to Section 95A(3) of the EPBC Act, the draft preliminary documentation was made available for public viewing at the following locations, (Refer to Attachment A):

- Burdekin Library
108 Graham St
AYR QLD 4807
- Heatley Cattle Co
Byrne Valley Station
4048 Kirknie Road
Kirknie QLD 4086
- State Library of Queensland
Cultural Precinct
Stanley Pl
South Brisbane QLD 4101
- Emanate Legal website: www.emanatelegal.com.au/heatleyhva

No public comments were received during the period for public comment (22 May 2019 - 6 June 2019). The relevant information is attached:

1. Attachment A - Invitation for Public Comment
2. Attachment B - Referral of proposed action : *Clearing of Vegetation for High Value Agriculture, Byrne Valley Station, Kirknie, Queensland*
3. Attachment C - Response to Further Information Request – Byrne Valley HVA Project – Preliminary Documentation Assessment
4. Attachment D - Byrne Valley Offset Management Plan: EPBC 2017/8108
5. Attachment E - Byrne Valley Sustainable High Value Agriculture Project: *Response to Additional Information Request from the Department of Environment and Energy (DOTEE) (EPBC 2017/8108)*
6. Attachment F - Habitat Quality Assessment: *Heatley Cattle Company*

Response to Further Information Request – Byrne Valley HVA Project – Preliminary Documentation Assessment

Contact: Christopher Taylor
Date: 31 October 2018
Site: Byrne Valley
Client: Heatley Cattle Co.

Mr Luke Hulbert

Response to Further Information Request – Byrne Valley HVA Project – Preliminary Documentation Assessment

Dear Luke,

The following information further explains our response to the RFI and provides additional information clarifying why we believe the project will not result in a significant residual impact to the Bare-rumped Sheath-tail Bat.

Prior to considering the need for an offset on Byrne Valley the department must consider the entire project including the project benefits and adverse impacts. As per the Act, project benefits cannot be considered during the referral phase. However the Preliminary Documentation assessment process allows the proponent to further describe project benefits in relation to the Significant Impact Guidelines.

When considering the project benefits, we do not believe the Byrne Valley Sustainable High Value Agriculture (HVA) Project will have a Significant Residual Impact (SRI) on the BRSB. We have provided an updated assessment of Significant Impacts taking into consideration the recovery plan for the BRSB and the project benefits.

We request that you consider the highlighted project benefits on the broader Byrne Valley landholding. Should your assessment conclude the project is having a SRI on the BRSB then a formal offset can be provided on Byrne Valley to mitigate this impact, however this should only be considered following a review of the project in relation to the Departments SRI Guidelines and the projects benefits and adverse impacts.

BRSB Recovery Plan

The National Recovery Plan for the BRSB provides guidance on the species and its status, understanding of its distribution and habitat requirements and known threats. The recovery objective for the species is to secure the long term protection of the BRSB through a reduction in the impact of threatening processes and to improve the information available to guide recovery. Aside from the direct loss of roosting habitat the likely threats to the BRSB includes activities that impact the recruitment of native vegetation, longevity and growth of roost trees and impact on prey resources.

The Byrne Valley Sustainable HVA project will directly impact an area of woodland habitat relevant to the BRSB. Targeted surveys for roosting sites within the project footprint did not locate the presence of the BRSB. However echolocation calls were positively identified on the fringes of the project area adjoining disturbed clearings and during the Departmental survey, at a local water source and external to Byrne Valley. Expert assessment concluded the species was foraging within these disturbed areas based on the frequency of calls. This is consistent with listing advice and the species recovery plan which identifies the species forages over habitat edges and in clearings. Despite targeted assessment no roosting sites are present within the project area.

Important to the assessment of any SRI to the BRSB are the benefits the project will have on the species. As previously described, the Byrne Valley HVA project is designed to reduce grazing pressure on the broader Byrne Valley landholding. The alteration of existing grazing regimes will result in a positive impact on adjoining woodlands by:

1. Reducing grazing pressures that lead to impacts on the recruitment of habitat species

2. Allowing native grasses to re-establish promoting greater diversity and subsequent increased diversity of prey resources
3. Increased native grass cover leading to reduction in exotic weed invasion

These actions will directly address the known threats to the BRSB as outlined within the SPRAT profile.

Project Area

The Byrne Valley Sustainable HVA project can be considered in two parts:

1. Impact Area
2. Balance land

The impact area includes 232 ha of land that will be cleared to make way for HVA crop production. Based on the listing advice for the species, the transition from woodland to cropping will not impact on foraging resources, however may reduce potential roosting habitat. The consideration of this area of potential roosting habitat in the context of Byrne Valley shows the area forms part of a potential roosting habitat in excess of 10,000 hectares (Attachment A).

As highlighted in previously submitted documentation, crop production will provide an alternative food source for the cattle grazing operation, thus reducing grazing pressure on surrounding lands. The ability to provide an alternative food source is particularly important during periods of drought where overgrazing impacts on the broader Byrne Valley Landholding. Having the ability to provide an alternative food source during these periods will significantly reduce impacts to grazing land including subsequent threats including impacts on vegetation recruitment and introduction of weeds.

The benefit this provides to the broader BRSB habitat area must be considered as part of the SRI assessment. An updated assessment of the potential impacts to the BRSB and associated habitat is provided in table 1. The assessment follows the Significant Impact Guidelines, however incorporated project benefits and adverse impacts.

Table 1: Significant Residual Impact Assessment

Will the proposed works	Response
Lead to a long term decrease in the size of an important population	<p>There is no known important population of BRSB within or surrounding the project area. Targeted surveys for roosting sites within the project footprint did not locate the presence of the BRSB. However echolocation calls were positively identified on the fringes of the project area adjoining disturbed clearings. Previous surveys for the species by the DOEE also recorded the BRSB at a local water source and external to Byrne Valley adjoining the Burdekin River.</p> <p>Expert assessment has concluded the call sequences indicate foraging individuals rather than a roosting population. This is consistent with listing advice and the species recovery plan which identifies the species forages over habitat edges and in clearings.</p> <p>As the targeted assessment confirmed the BRSB is not roosting within the HVA clearing area, the project must consider the clearing in the context of the broader landscape. This should include any benefits the project will have to potential roosting habitat.</p> <p>As described, the Byrne Valley HVA project is designed to manage grazing pressure across Byrne Valley. The benefits of controlled grazing will improve both habitat quality and availability and diversity of prey resources.</p> <p>Given the Byrne Valley HVA project equates for only 2% of available habitat on the property and will result in an overall positive impact to the balance 98% of habitat it is a logical determination that the project will not lead to a long term decrease in the size of an important population of the species.</p> <p>The above finding is consistent with departmental expert advice received prior to the initiation of the project referral process.</p>
Reduce the area of occupancy of an important population?	<p>There is no known important population of BRSB within or surrounding the project area. Whilst the clearing may result in a reduction in the species habitat, there are large vegetated areas to the south and west of the subject site as well as other parts of Byrne Valley Station around the flanks of Mount Louisa and along Alligator Creek. As such, the proposed activity is not expected to reduce the area of occupancy of an important population.</p> <p>In fact, the benefit obtained via the sustainable management of grazing across the project area will likely result in a long term increase in habitat quality by:</p> <ol style="list-style-type: none"> 1. Reducing grazing pressures that lead to impacts on the recruitment of habitat species 2. Allowing native grasses to re-establish promoting greater diversity and subsequent increased diversity of prey resources 3. Increased native grass cover leading to reduction in exotic weed invasion <p>All of the above address known threats to the BRSB as outlines in the SPRAT profile.</p>
Fragment an existing important population into two or more populations?	<p>There is no known important population of BRSB within or surrounding the project area. Large areas of similar and continuous habitat occurs within Byrne Valley Station and within the wider Burdekin area. Within Byrne Valley alone there is approximately 10,000ha of similar habitat that will remain untouched and the surrounding area has over 500,000ha of similar habitat which can be equally utilised by the species. The movement of the species will not be reduced by the Project and therefore, any important population that may occur in the surrounding landscape would not be fragmented into two or more populations.</p>

Will the proposed works	Response
Adversely affect habitat critical to the survival of a species?	<p>There is no known important population of BRSB within or surrounding the project area. Ecological surveys indicated that the area does contain hollows that could potentially be used for roosting behaviour, however targeted assessment to identify roosting populations of the species failed to locate any active roosting sites.</p> <p>Instead expert assessment concluded that the frequency and duration of calls indicate a foraging individual(s). This analysis has concluded the species was likely foraging on disturbed habitat edges and clearings.</p> <p>Although the proposed activity will clear 232ha of potential foraging and roosting habitat, the vastness of similar habitat (Attachment A) within the immediate and wider area indicates that this proposed clearing activity is not likely to adversely affect habitat critical to the survival of a species.</p> <p>The consideration of the vast area of similar habitat in the context of the proposed alteration of grazing regimes further strengthens the argument that the Byrne Valley HVA project will result in an overall beneficial impact</p>
Disrupt the breeding cycle of an important population?	<p>There is no known important population or no known roosting sites of BRSB within the project area. The BRSB have been identified as occurring within the project area however call analysis indicates their presence is linked to foraging along habitat edges and within clearings.</p> <p>As such the proposed clearing to establish the HVA project will not disrupt the breeding cycle of an important population.</p>
Modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to be in decline?	<p>There is no known important population of BRSB within or surrounding the project area.</p> <p>Within Byrne Valley alone there is approximately 10,000ha of similar habitat that will remain untouched and the surrounding area has over 500,000ha of similar habitat which can be equally utilised by the species.</p> <p>As the species forages in habitat edges and within clearing, the clearing of 232 ha of woodland will not result in a loss of foraging habitat.</p> <p>As described the change to land management and grazing regimes afforded by the Byrne Valley HVA project will likely result on a longer term increase in habitat quality across the balance 10,000 hectares (Attachment A).</p> <p>Hence, the disturbance associated with the clearing activity is not likely to modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to be in decline.</p>
Result in invasive species that are harmful to a vulnerable species being established in the vulnerable species habitat?	<p>The proposed development is not likely to result in the introduction of invasive species that could lead to a decrease in habitat availability. In fact, the Byrne Valley HVA project will likely result in increased habitat quality by:</p> <ol style="list-style-type: none"> 1. Reducing grazing pressures that lead to impacts on the recruitment of habitat species 2. Allowing native grasses to re-establish promoting greater diversity and subsequent increased diversity of prey resources 3. Increased native grass cover leading to reduction in exotic weed invasion
Introduce disease that may cause the species to decline	<p>The proposed development is not likely to increase the risk of disease to the species. Application of current farming practices and general biosecurity management measures would effectively avoid introduction and spread of disease.</p>

Will the proposed works	Response
Interfere substantially with the recovery of the species?	The recovery plan for the BRSB does not identify any populations that are currently known to be under threat nor are any specific conservation measures aimed at the species. There is no important population known in the area and due to the extensive similar habitat available within the immediate and wider surrounds, this project is therefore considered highly unlikely to interfere with the recovery of the species.

Attachment A

BRSB Habitat

BRSB Habitat

- Byrne Valley
- BRSB Habitat – Remnant Of Concern Regional Ecosystems
- BRSB Habitat – Remnant Least Concern Regional Ecosystems

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