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CPS 8696/1 AMENDMENT APPLICATION – SUPPORTING INFORMATION

Project background

The City of Swan (CoS) are the proponent of the Stock Road Extension project in Bullsbrook, which involves upgrades and extension of a portion of Stock Road, between Tonkin Highway (formerly Northlink WA) and the Great Northern Highway.

On 3 September 2020, the Department of Water and Environmental Regulation (DWER) issued the CoS a Purpose Permit to clear native vegetation as part of the project, pursuant to Part V of the *Environmental Protection Act 1986* (CPS 8696/1). The approved clearing permit covers an area of 37.66 ha, and allows for up to 4.41 ha of native vegetation to be cleared. The approved permit is provided in **Attachment 1**.

Proposed clearing permit amendment

The CoS are seeking to amend the existing permit CPS 8691/1 to increase its area to 38.02 ha, such that up to 4.57 ha of native vegetation can be cleared as part of the project.

Figure 1 (attached) shows the proposed amended clearing permit area, which now extends further into Lot 43 on Plan 23177 and Lot 44 on Plan 23177. For the purpose of this correspondence, the additional area proposed for inclusion in the clearing permit is referred to herein as the ‘amendment area’.

The proposed amendment is necessary to enable additional road and fencing elements to be constructed as part of the project, which were not anticipated to be required at the time of the original application.

Table 1 outlines the key details of the proposed clearing permit amendment, based on the information requirements set out in Part 4 of form C4.

Table 1: Summary of key details

Required information	Applicant response
Proposed method of clearing	Mechanical
Purpose of the clearing	Extension and widening of Stock Road, and installation of boundary fencing for the new road reserve to adjoining private land parcels.
Period within which the clearing is proposed to be undertaken	During construction activities in 2022.
Final land use	Public road, including fencing along road reserve boundary.

Existing environmental values within clearing permit amendment area

Site-specific surveys

Emerge Associates originally completed site-specific environmental surveys for the project in February and September 2019, the survey reports for which were included in the original clearing permit application.

Emerge Associates, on behalf of the Department of Planning, Lands and Heritage, have since undertaken additional site-specific flora, vegetation, fauna and wetland assessments of the Stock Road corridor between August and November 2020, which included a wider survey area than that covered in 2019.

The increased survey area fully incorporates the amendment area, and the results of the survey in relation to the amendment area are summarised below. The full survey reports are attached as follows:

- *Detailed Flora and Vegetation Assessment* (Emerge Associates 2021b) (**Attachment 2**)
- *Basic Fauna and Targeted Black Cockatoo Assessment* (Emerge Associates 2021a) (**Attachment 3**).

Flora and vegetation

The amendment area contains the following plant communities (Emerge Associates 2021b):

- **'Co'** open forest *Casuarina obesa* over non-native grassland/herbland, in 'degraded' condition (0.16 ha)
- **'Non-native'** non-native and planted vegetation with occasional native plants, in 'completely degraded' condition (0.20 ha).

Figure 2 and **Figure 3** show plant community and vegetation condition mapping, respectively.

Overall the amendment area comprises an active pasture used for grazing, with native vegetation limited to approximately 25 *Casuarina obesa* trees (approximate number of trees estimated through review of high resolution aerial imagery).

No threatened or priority flora, nor any threatened or priority ecological communities, are known or considered likely to occur within the amendment area.

Plate 1 shows the vegetation within the amended clearing permit area.



Plate 1: *Casuarina obesa* trees over non-native pasture grasses within the amendment area

Fauna and fauna habitat

Fauna habitat values within the amendment area is similar to the remainder of the project area, in that fauna habitat values are generally limited, primarily providing habitat that is suitable for common and widespread native species with non-specific habitat requirements. The fauna assessment also determined that habitat values are compromised by the removal of most of the native vegetation and impacts of historical degradation.

The amendment area does not contain any foraging, roosting or breeding habitat for black cockatoos.

Wetlands

The amendment area intersects part of a Conservation Category Wetland (CCW) mapped in the DBCA *Geomorphic Wetlands of the Swan Coastal Plain* database (UFI 12433), as shown in **Figure 4**.

Emerge Associates (2021b) inspected UFI 12433, noting aspects such as hydrology, vegetation and landform. An assessment against the DBCA (2017) *A methodology for the evaluation of specific wetland types on the Swan Coastal Plain, Western Australia* was then completed to determine the appropriate management category for the wetland. Based on this assessment, CCW UFI 12433 was determined to represent a 'resource enhancement' wetland (REW), rather than a CCW. The result for CCW 12433 is not surprising as this wetland feature has been subject to historical and ongoing disturbance from agricultural land use. The wetland evaluation documentation is provided in the survey report (**Attachment 2**).

Consideration of clearing principles

When assessing clearing permit applications, DWER has regard to the ten clearing principles contained in Schedule 5 of the EP Act so far as they are relevant to the matter under consideration. In support of this clearing permit amendment application, a response to the ten clearing principles is provided in **Table 2**. This response has been prepared with reference to the applicable guidelines published by the (former) DER (2014).

Table 2: Assessment of clearing permit amendment against clearing principles

Clearing principle	Clearing permit amendment considerations
A) native vegetation should not be cleared if it comprises a high level of biological diversity	Proposed amendment considered not to be at variance. Native vegetation within the amendment area is limited to a monoculture of <i>Casuarina obesa</i> trees over non-native pasture grasses, and as such does not comprises a high level of biological diversity.
b) native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia	Proposed amendment considered not to be at variance. Native vegetation within the amendment area provides limited fauna habitat values, which have been compromised by the removal of most of the native vegetation and impacts of historical degradation. The vegetation also does not support any foraging, roosting or breeding habitat for black cockatoos. As such, whilst it may support some limited habitat values suitable for common and widespread native species with non-specific habitat requirements, it does not comprise significant habitat for fauna indigenous to Western Australia.
c) native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora	Proposed amendment considered not to be at variance. Site specific surveys have confirmed that the amendment area does not contain any threatened or priority flora species.
d) native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a threatened ecological community	Proposed amendment considered not to be at variance. Site specific surveys have confirmed that the amendment area does not contain any threatened ecologies communities.

e) native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared	Proposed amendment considered not to be at variance. The amendment area is located within the Beermullah vegetation complex, however given the 'degraded' condition of vegetation and the absence of other native flora species besides <i>Casuarina obesa</i> trees, the native vegetation is not considered to represent an intact occurrence of the Beermullah vegetation complex and therefore is not considered to be a significant remnant of native vegetation in the area.
f) native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland	Proposed amendment considered not to be at variance. The amendment area intersects a mapped CCW (UFI 12433), which site-specific surveys determined to be representative of a REW. Native vegetation within with the mapped wetland is limited to <i>Casuarina obesa</i> trees, with no other native vegetation (understorey, midstorey or overstorey) species occurring. Other vegetation is limited to non-native paddock grasses. Overall, native vegetation within the wetland was determined to be in 'degraded' condition and there is a high level of vegetation disturbance and modification within the wetland, such that it no longer represents an intact wetland vegetation community. Due to the nature of the road upgrade project and the absence of alternative alignment options, there are no opportunities to avoid impacts (discussed below), however the residual impacts to native vegetation within the wetland are not considered to be significant given it's current composition and condition.
g) native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation	Proposed amendment considered not to be at variance. CPS 8696/1 extends across a highly cleared and modified local area, which supports rural and agricultural land uses, with extensive areas of cleared land used for pasture. The area is already subject to significant land degradation processes as a result of historical and existing land uses, and existing vegetation is highly disturbed from its natural state. Given these factors, DWER concluded the original clearing permit application as 'unlikely to significantly impact on the water quality or contribute to land degradation or flooding in the local area'. The minor expansion of the clearing permit boundary to include the amendment area is not anticipated to alter this conclusion.
h) native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area	Proposed amendment considered not to be at variance. The clearing permit amendment area is not located within or adjacent to any conservation areas. Bush Forever (BF) Site 296 (Ellen Brook) occurs approximately 550 m to the west, however project impacts to BF 296 have been addressed through a SPP 2.8 offset, required under the existing clearing permit conditions. No additional impacts to BF 296 will occur as a result of the clearing permit amendment.
i) native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water	Proposed amendment considered not to be at variance. As per response to principle g) above.
j) native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence of flooding	Proposed amendment considered not to be at variance. As per response to principle g) above.

Impact mitigation

Avoid

As outlined in the original (approved) clearing permit proposal, the alignment and extent of the road widening works is dictated by the location of the existing road reserve, thus consideration of alternative alignments (and any resulting opportunities to strategically avoid environmental impacts) has not been possible. Notwithstanding, impact avoidance opportunities have still been considered through the road widening design process, primarily through efforts to reduce the clearing footprint wherever possible along the road alignment to reduce the magnitude of clearing required to facilitate the widening works.

Similarly, opportunities to avoid impacts within the amendment area are limited due to the fixed location of the road widening works and the new boundary fence alignment. Notwithstanding, the City will opportunistically retain any *Casuarina obesa* trees within the amendment area where practical and where their removal is not necessary for completion of the fence installation or road widening works. It is anticipated that a number of trees may be suitable for opportunistic retention in this respect.

Minimise

The appointed civil contractor is implementing a Construction Environmental Management Plan during construction, which contains a range of environmental management measures to minimise environmental impacts. This includes management actions and operational controls relating to Aboriginal heritage, acid sulphate soils, clearing, contamination, dewatering, dieback management, dust management, erosion and sediment control, fauna management, waste management and weed management. The CEMP will continue to be implemented during works within the amendment area.

Rehabilitate

Native landscape planting is being implemented as part of the project, in accordance with the approved landscape designs. Landscaping is occurring across the extent of the project, and the approved design drawings applying to the amendment area are provided in **Attachment 4**. Through the application of native planting (including endemic tree species), this will serve to provide some level of rehabilitation across the project. The amendment area will be landscaped with native hydroseed and the new fenceline will be planted with tubestock of endemic native species (*Eucalyptus rudis* and *Melaleuca raphiophylla*).

Residual impact

Based on the composition, condition and extent of native vegetation proposed to be impacted through the proposed amendment, in addition to the impact mitigation measures outlined above, the proposed amendment is not anticipated to result in a significant residual impact. As such, no offsets are considered to be required. It is noted that an SPP 2.8 offset has already been approved for the project through CPS 8696/1, associated with impacts to native vegetation in proximity to Ellen Brook, and the additional clearing impacts proposed within the amendment area are unrelated to this offset requirement.

Summary and closing

The proposed amendment to clearing permit CPS 8696/1 will increase the area of the permit by 0.36 ha (to a total of 38.02 ha) and the amount of native vegetation to be cleared by up to 0.16 ha (to a total of up to 4.57 ha), associated with additional road widening and fence installation works which were not known at the time of the original application. In the context of the original clearing permit approval, the additional clearing is not considered to be at variance to any of the EP Act clearing principles and is not considered to result in a significant residual impact in relation to any of the clearing principles.

Yours sincerely
Emerge Associates



Andreas Biddiscombe
SENIOR ENVIRONMENTAL CONSULTANT

Encl: Figure 1: Clearing Permit Amendment Area
Figure 2: Plant Communities
Figure 3: Vegetation Condition
Figure 4: Hydrological Features
Attachment 1: Approved Clearing Permit CPS 8696/1
Attachment 2: Detailed Flora and Vegetation Assessment (Emerge Associates 2021b)
Attachment 3: Basic Fauna and Targeted Black Cockatoo Assessment (Emerge Associates 2021a)
Attachment 4: Approved Landscape Design (EPCAD 2021)

References

Department of Environment Regulation (DER) 2014, A guide to the assessment of applications to clear native vegetation under Part V Division 2 of the Environmental Protection Act 1986, Perth.

Emerge Associates 2021a, Basic Fauna and Targeted Black Cockatoo Assessment - Stock Road Corridor, Bullsbrook, EP20-089(02)--003 MS, Version A.

Emerge Associates 2021b, Detailed Flora and Vegetation Assessment - Stock Road Corridor, Bullsbrook, EP20-089(02)--002 RAW, Version A.

Figures



Figure 1: Clearing Permit Amendment Area

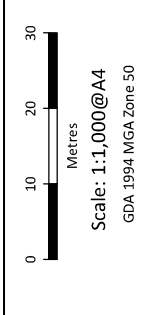
Figure 2: Plant Communities

Figure 3: Vegetation Condition

Figure 4: Hydrological Features



CPS 8696/1 boundary
 Amendment area
 Cadastral boundary
 Railway



Plan Number: EP19-005(04)-F62
Drawn: GAR
Date: 15/12/2021
Checked: ADB
Approved: ADB
Date: 21/12/2021

Figure 1: Clearing Permit Amendment Area
Project: CPS 8696/1 Clearing Permit Amendment
 Stock Road Extension, Bullbrook
Client: City of Swan

While Emerge Associates makes every attempt to ensure the accuracy and completeness of data, Emerge accepts no responsibility for externally sourced data used



Scale: 1:1,000@A4
GDA 1994 MGA Zone 50

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Figure 2: Plant Communities

Project: CPS 8696/1 Clearing Permit Amendment
Stock Road Extension, Bullsbrook
Client: City of Swan

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- CPS 8696/1 boundary
- Amendment area
- Cadastral boundary
- Railway
- Vegetation condition
- Pristine
- Excellent
- Very good
- Good
- Degraded
- Completely degraded



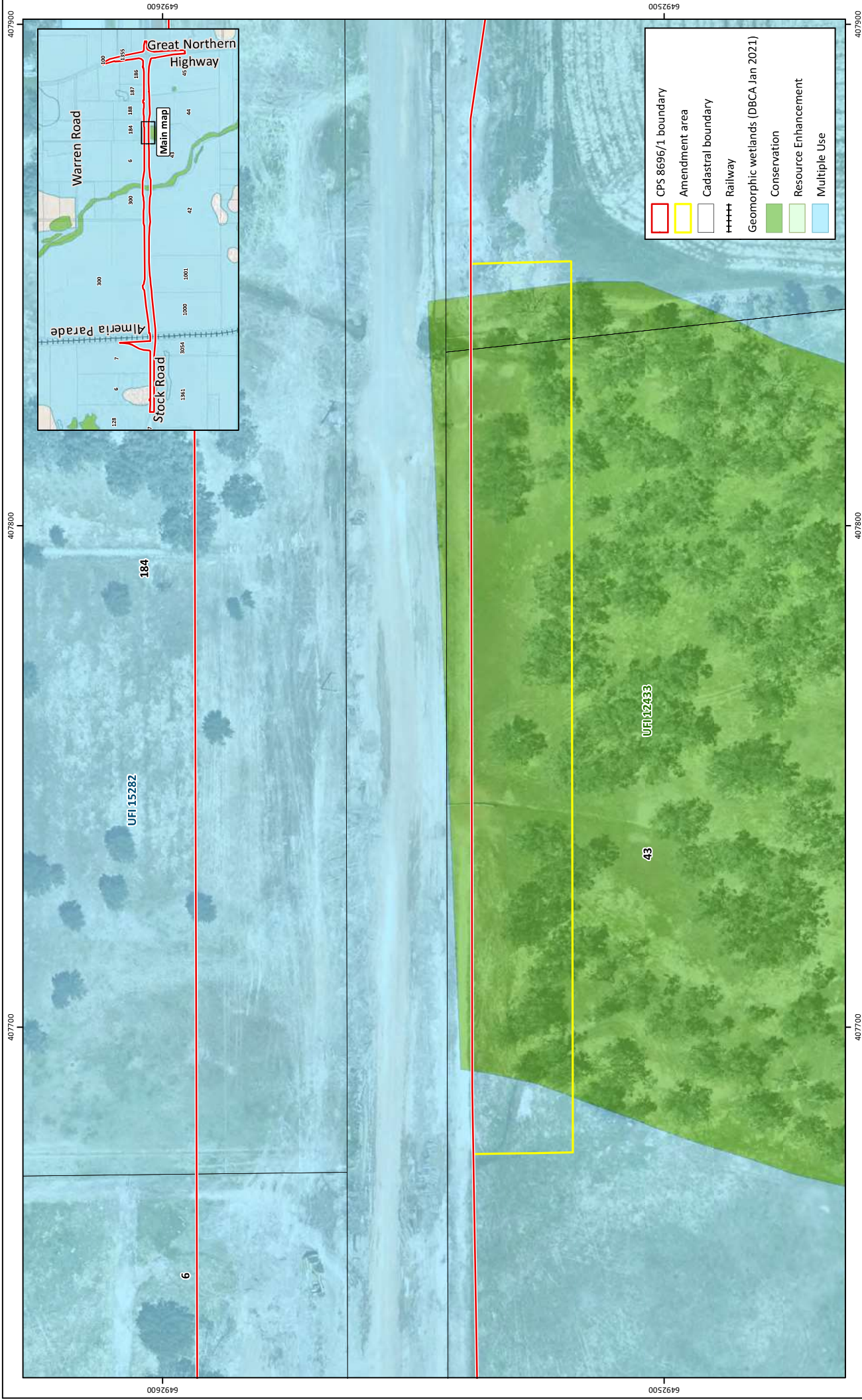
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Scale: 1:1,000@A4
GDA 1994 MGA Zone 50

Plan Number: EP19-005(04)-F64
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Figure 3: Vegetation Condition

Project: CPS 8696/1 Clearing Permit Amendment
Stock Road Extension, Bullsbrook
Client: City of Swan

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Scale: 1:1,000@A4
GDA 1994 MGA Zone 50

Figure 4: Hydrological Features

Project: CPS 8696/1 Clearing Permit Amendment
Stock Road Extension, Bullsbrook
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