

4 March 2021

MRWA 1775 Great Eastern Highway Upgrade, Package 4B & 5.

The Wildflower Society of Western Australia (WSWA) is unable to assess this document due to the lack of basic information regarding the scope and scale of the project. The lack of representative cross-sectional detail does not allow the width of the elements of the road structure to be determined to determine if the road design could be refined to avoid and minimise the extent of clearing required. Also only a summary of the flora and fauna surveys is provided which does not allow to examine the methodology and effort used in the surveys or to be able to examine the extent of the vegetation associations influenced by the project.

The assessment of clearing principles (CPs) is technically correct, but the assessment of two of the CPs represents poor practice in our opinion.

First, the treatment of threatened ecological communities (TECs) in the assessment of principle (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) only considers State-listed TECs. The EP Act (1986) was changed in 2019 to align with the BC Act (2016) and a pernicious side effect of that was to exclude Commonwealth-listed TECs from consideration. This side effect has been recognised as deleterious and DWER initiated a change to the EP Act in its revision last year, to reinstate Commonwealth-listed TECs for consideration. These changes to the EP Act passed the Lower House of Parliament last year and will be fully ratified this year after the upcoming State election, and before this project is implemented. MRWA surely knows this and should also consider assessments under this CP to include Commonwealth-listed TECs as well as State-listed TECs.

Second, the impact on nearby conservation areas (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) is considered in the Assessment Report as if proposed land tenure transfers of parts of Nature Reserve R 16000 to the road reserve have already been made. Also note that this CP does not indicate that the impact needs to be *significant*, just that there is an impact, whereas the assessment considers "significant" impacts. In the Assessment Report, details of the land transfer (amount, parcels, quality etc) are not given. Rather, it is stated that: "As part of the land transfer, Main Roads has also identified areas of mixed tenure adjacent to R 16000, such as Unallocated Crown Land (UCL) and redundant road reserve, to transfer into the conservation estate. The inclusion of this land will result in a net gain in conservation area. DBCA and the Conservation and Parks Commission of WA have endorsed the proposed land transfer". The land transfer details should be provided so that an independent party can assess whether there will in fact be a net gain to the conservation reserve. Consideration of the impacts of clearing in the Nature Reserve as though it were already part of the road reserve also affects the assessment of clearing impacts - Table 5, points 1 and 4b.

Because the assessment against the CPs identified a variance with CP (e), an offset is required to be offered under CPS 818/15. However, no details of the offset to be offered are given except that it is stated that it must be approved by DWER prior to

clearing. These details are important because the portion of land being offset will alter the amount required in the offset, and its composition. As mentioned above, if the impacts on the Commonwealth-listed TEC were acknowledged then the offset triggered would require a like-for-like offset of that TEC, and that would affect the area calculated in the Commonwealth offset calculator. In contrast, as it stands, the offset to be offered would likely be in response to CP (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), which may result in a different composition and smaller parcel of land being required for offsetting purposes. Furthermore, composition details of the offset are not specified, nor is the possibility that the offset may result in net loss of vegetation.

As per CPS 818/15, only a summary of the environmental surveys have been provided, but the report actually refers specifically to one survey by GHD (2016) on page 14. On request for this report, part of it (vegetation maps) were supplied. In the Assessment Report, however, the level of detail in the maps is inadequate to clearly see the clearing boundaries and the vegetation condition mappings are not presented. The vegetation maps supplied on request were at a sufficient level of detail; however, the development envelope from the 2016 report appears as though it may not be what is currently proposed. Rather, the Assessment Report states that the clearing envelope is mainly on the northern side of the road, whilst the maps (from 2016) show clearing on both sides. These inconsistencies make it difficult or impossible to independently assess the impact on the adjacent vegetation from the current proposal.

The WSWA considers that this report is inadequate as the project description and details of impact mitigation provided do not provide sufficient detail to allow a definitive assessment of the residual impact of the project after consideration of all the project features.