

Appendix B: DAWE Additional Information Request



Ms Martine Scheltema
Manager Environment
Main Roads
Don Aitken Centre
Waterloo Crescent
EAST PERTH WA 6004

Dear Ms Scheltema

**Additional information required for preliminary documentation.
Bussell Highway Duplication Hutton to Sabina, near Busselton, WA**

I am writing to you in relation to your proposal to clear vegetation and construct a second carriageway on a 12.3 km segment of the Bussell Highway between Hutton and Sabina, near Busselton, Western Australia.

On 3 November 2020, a delegate of the Minister for the Environment decided that the proposed action is a controlled action and that it will be assessed by preliminary documentation. Further information will be required to assess the relevant impacts of the proposed action.

Details outlining the further information required are at [Attachment A](#).

Details on the assessment process and the responsibilities of the proponent are set out in the enclosed fact sheet. Further information is available from the Department's website at <http://www.environment.gov.au/epbc>.

If you have any questions about the assessment process or the further information required, please contact Leo Pure, by email to leo.pure@environment.gov.au, or by telephone on (02) 6274 1475 and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

David Loch
Acting Director
Project Assessments West Section 2
Environment Assessments West (WA, SA, NT) Branch
12 November 2020

Attachment A – PRELIMINARY DOCUMENTATION REQUIREMENTS

This document sets out the specified information required by the Minister under section 95A of the EPBC Act for the assessment of the impacts of your proposed action, henceforth referred to as the preliminary documentation ('PD').

Based on the information provided in your referral, and other available information, the Department is particularly interested in additional information for the species tabulated below.

Listed threatened species and ecological communities (s18 & 18A)	
1.	<p>The Department notes that the proposed action will likely have significant impacts on the endangered Baudin's Black Cockatoo (<i>Calyptorhynchus baudinii</i>), endangered Carnaby's Black-Cockatoo (<i>Calyptorhynchus latirostris</i>) and vulnerable Forest Red-tailed Black-Cockatoo (<i>Calyptorhynchus banksii naso</i>) ('Black Cockatoos') by removing 18.0 ha of foraging, potential roosting and potential breeding habitat for these species.</p> <p>Please provide the following information so that the Department can further assess the significance of these impacts:</p> <ul style="list-style-type: none">• Additional details, for example as a table, describing the area (in hectares) of each type of foraging habitat in the project area. The most recent relevant vegetation survey by Ecoedge in 2019 provides this type of information but for a larger area than the actual project area. Specifically, the Department wants to know the vegetation composition of the 18.0 ha of foraging habitat proposed to be cleared. For example, Figures 23 to 27 in Ecoedge's 2019 vegetation survey could be modified to show the areas of each vegetation type. This information should be presented with general information about the vegetation composition of the neighbouring Tuart Forest National Park, noting similarities and differences to the foraging habitat in the project area.• A discussion of the potential direct and indirect impacts to Black Cockatoos that could arise from loss of foraging habitat. This should refer to the specific vegetation composition as requested above.• Discussion of any proposed avoidance, mitigation or management measures to be implemented prior to, during and post-clearing to manage potential direct and indirect impacts of the proposed action on Black Cockatoos and their foraging habitat. Demonstrate that the proposed measures are specific, measurable, achievable, realistic and time-bound (SMART). Please include a discussion on the efficacy of the proposed avoidance, mitigation and management measures.• The proponent may provide this information in an Environmental Management Plan (EMP), however if this is the case, the EMP must be provided to the Department for review. Management plans should be

	<p>prepared in accordance with the Department's <i>Environmental Management Plan Guidelines</i> (2014).</p>
<p>2.</p>	<p>The Department notes that the proposed action will clear up to 120 potential breeding trees within the project area, of which two trees contain suitable breeding hollows for use by Black Cockatoos. The Department is of the view that all ages and sizes of potential breeding trees are important for maintaining breeding habitat for Black Cockatoos as these trees can provide nest hollows for use in the future.</p> <p>The most recent survey supplied in the referral, undertaken by Greg Harewood in 2018, inspected the two suitable hollows with binoculars from the ground and concluded that neither were recently used by Black Cockatoos.</p> <ul style="list-style-type: none"> • Please inspect the two suitable Black Cockatoo hollows with an aerial drone (only if outside of the breeding season) or a camera mounted onto a pole, and report the results in the PD. Specifically, the Department wishes to confirm whether these two hollows are suitable for Black Cockatoo breeding based on their geometries, and whether either shows evidence of use. This survey should re-examine any other potential breeding trees in the same manner if it is suspected that other potential breeding hollows were overlooked in previous surveys. These results should also be included in the PD. • If re-inspecting these two hollows is not feasible or possible, the Department may assume that they are suitable for breeding and offsets will likely be required. <p>If the drone/camera-pole hollow examinations confirm that any suitable breeding hollows occur, with or without evidence of use, please provide:</p> <ul style="list-style-type: none"> • Further details on any avoidance, mitigation and management measures proposed to reduce this impact prior to, during and/or post construction activities. These details must describe and assess the likely effectiveness of the proposed measures on reducing potential impacts to Black Cockatoo breeding.
<p>3.</p>	<p>The Department notes that the proposed action is likely to have significant impacts on 20.3 ha of habitat for the critically endangered Western Ringtail Possum (<i>Pseudocheirus occidentalis</i>). Please provide the following information in detail so that the Department can assess the impacts of the proposed action:</p> <ul style="list-style-type: none"> • A discussion of the potential direct and indirect impacts to Western Ringtail Possums that could arise during vegetation clearing and from habitat loss. • Descriptions of any avoidance and mitigation measures to be implemented prior to, during and post-clearing to manage potential direct and indirect

	<p>impacts of the proposed action on Western Ringtail Possum and their habitat.</p> <ul style="list-style-type: none"> • These proposed measures, and how they will be implemented, should be illustrated with clear maps that include any new information regarding Western Ringtail Possum inhabitation and/or use of the project area, including the quality and condition of habitat proposed to be cleared, the location of primary corridors within core and supporting habitat in the project area, and any new Western Ringtail Possum fatalities. <p>If the proposed mitigation measures include developing infrastructure that facilitates fauna movement, please provide:</p> <ul style="list-style-type: none"> • Further details regarding the development of this proposed infrastructure, including the intended implementation, the persons responsible and potential effectiveness as a measure to mitigate the impacts on the Western Ringtail Possum.
<p>4.</p>	<p>The Department notes that the proposed action may have significant impacts on the critically endangered Tuart (<i>Eucalyptus gomphocephala</i>) woodlands and forests of the Swan Coastal Plain ecological community ('Tuart TEC'). However, it is unclear at present whether Tuart TEC occurs in the project area according to the definitions set out in the Approved Conservation Advice (incorporating listing advice) for the Tuart (<i>Eucalyptus gomphocephala</i>) woodlands and forests of the Swan Coastal Plain ecological community ('Tuart TEC CA').</p> <ul style="list-style-type: none"> • Please provide the results of a targeted vegetation survey to check whether or not potential occurrences of Tuart TEC in the project area meet the definition of this ecological community as set out in the Tuart TEC CA. The analysis of survey results should count contiguous areas that extend from within the project area into neighbouring vegetation, in accordance with the patch definitions in the Tuart TEC CA. <p>If new survey results show that Tuart TEC occurs in the project area:</p> <ul style="list-style-type: none"> • Please discuss any direct and indirect impacts that may occur to Tuart TEC as a result of the proposed action. • Please describe any avoidance and mitigation measures to be implemented prior to, during and post-clearing/construction to manage potential direct and indirect impacts of the proposed action on Tuart TEC. These proposed measures, and how they will be implemented, should be illustrated with clear maps that include any new information regarding the distribution of Tuart TEC in the project area, including the quality and condition of the Tuart TEC.
<p>5.</p>	<p>If avoidance, mitigation and management measures are contained within an Environmental Management Plan (EMP), please provide a copy of the proposed</p>

	<p>EMP. Please also provide any other relevant management plans that include avoidance and mitigation measures proposed in the referral documentation in relation to vegetation clearing, native fauna, dieback and weed control, for the Department's review. Management plans should be prepared in accordance with the Department's <i>Environmental Management Plan Guidelines</i> (2014).</p>
<p>6.</p>	<p>The Department is of the view that the proposed action will likely have the following significant impacts:</p> <ul style="list-style-type: none"> • clearing 20.3 ha of Western Ringtail Possum habitat; and • clearing 18.0 ha of foraging, potential roosting, and potential breeding habitat for Black Cockatoos. <p>The Department is also of the view that the proposed action may:</p> <ul style="list-style-type: none"> • clear potential occurrences of Tuart TEC. <p>Avoidance and mitigation measures to these protected matters should demonstrate that the action is not inconsistent with relevant recovery plans and threat abatement plans and has regard to relevant conservation advice, including but not limited to the following documents.</p> <ul style="list-style-type: none"> • Threatened Species Scientific Committee (2018). <i>Conservation Advice Calyptorhynchus baudinii Baudin's cockatoo</i>. Canberra: Department of the Environment and Energy. • Department of Parks and Wildlife (2013). <i>Carnaby's Cockatoo (Calyptorhynchus latirostris) Recovery Plan</i>. Perth: Western Australia Department of Parks and Wildlife. • Department of the Environment, Water, Heritage and the Arts (2009). <i>Approved Conservation Advice for Calyptorhynchus banksii naso (Forest Red-tailed Black Cockatoo)</i>. Canberra: Department of the Environment, Water, Heritage and the Arts. • Chapman, T. (2008). <i>Forest Black Cockatoo (Baudin's Cockatoo Calyptorhynchus baudinii and Forest Redtailed Black Cockatoo Calyptorhynchus banksii naso) Recovery Plan</i>. Department of Environment and Conservation, Western Australia. • Department of the Environment and Energy (2018). <i>Threat abatement plan for disease in natural ecosystems caused by Phytophthora cinnamomi</i>. Canberra: Commonwealth of Australia. • Department of the Environment and Energy (2019). <i>Approved Conservation Advice (incorporating listing advice) for the Tuart (Eucalyptus gomphocephala) woodlands and forests of the Swan</i>

	<p><i>Coastal Plain ecological community</i>. Canberra: Department of the Environment and Energy.</p> <ul style="list-style-type: none"> • Threatened Species Scientific Committee (2018). <i>Conservation Advice Pseudocheirus occidentalis Western ringtail possum</i>. Canberra: Department of the Environment and Energy. • Department of Parks and Wildlife (2017). <i>Western Ringtail Possum (Pseudocheirus occidentalis) Recovery Plan</i>. Wildlife Management Program No. 58. Perth: Western Australia Department of Parks and Wildlife. • Department of the Environment (2015). <i>Threat abatement plan for predation by feral cats</i>. Canberra: Department of the Environment. • Department of the Environment, Water, Heritage and the Arts (2008). <i>Threat abatement plan for predation by the European red fox</i>. Canberra: Department of the Environment, Water, Heritage and the Arts. <p>Any surveys required to obtain information requested in this document should be undertaken in accordance with relevant survey guidelines, including:</p> <ul style="list-style-type: none"> • Department of Sustainability, Environment, Water, Population and Communities (2011). <i>Survey guidelines for Australia's threatened mammals: Guidelines for detecting mammals listed as threatened under the EPBC Act</i>. Canberra: Department of Sustainability, Environment, Water, Population and Communities. • Department of the Environment, Water, Heritage and the Arts (2010). <i>Survey guidelines for Australia's threatened birds: Guidelines for detecting birds listed as threatened under the EPBC Act</i>. Canberra: Department of the Environment, Water, Heritage and the Arts.
7.	<p>The proponent should provide whatever details are necessary to demonstrate whether or not residual significant impacts are likely to occur to the Western Ringtail Possum, Black Cockatoos and Tuart TEC (if present) after all proposed avoidance, mitigation and management measures are implemented.</p> <p>If residual significant impacts are likely, then compensatory offset measures will be required. Information required regarding offsets is stated below, after all controlling provisions are listed.</p>
Ramsar Wetlands	
8.	<p>The Department is of the view that the proposed action may have a significant impact on the Vasse-Wonnerup Ramsar wetland, located 500 m northwest of the project area. Potential impacts are considered most likely to arise through</p>

	<p>altered hydrological regimes and run-off water contamination (sediment, hydrocarbon spills, etc.) that enter the Ludlow, Abba and Sabina rivers that flow into the Vasse-Wonnerup Ramsar wetland.</p> <p>Please discuss the potential direct and indirect impacts to the Vasse-Wonnerup Ramsar wetland that could result from the proposed action.</p> <p>Please discuss all proposed avoidance and mitigation measures to be implemented prior to, during and post-clearing/construction to manage potential direct and indirect impacts, including those listed in the referral documentation, against the listing criteria for the Vasse-Wonnerup Ramsar wetland, which are:</p> <ul style="list-style-type: none"> • <u>Criterion 5</u>: More than 33,000 waterbirds have been counted at the Vasse-Wonnerup System. Waterbird data indicate that more than 20,000 waterbirds use the Ramsar site each year, suggesting that the wetland regularly supports 20,000 waterfowl. This includes species such as the Red-necked Avocet (<i>Recurvirostra novaehollandiae</i>), Black-winged Stilt (<i>Himantopus himantopus</i>), Wood Sandpiper (<i>Tringa glareola</i>), Sharp-tailed Sandpiper (<i>Calidris acuminata</i>), Long-toed Stint (<i>Calidris subminuta</i>), Curlew Sandpiper (<i>Calidris ferruginea</i>) and Common Greenshank (<i>Tringa nebularia</i>). • <u>Criterion 6</u>: At least 1% of the Australian population of Black-winged Stilt and at least 1% of the world population of Red-necked Avocet use Vasse-Wonnerup System in most years. <p>The proponent's response may benefit from declaring certain carriageway design characteristics implied in the referral, but not stated explicitly. For example, the bridge reports by AECOM Australia Pty Ltd which show that the proposed second carriageway will be constructed on south-eastern side of the Bussell Highway, furthest from the Ramsar wetland.</p> <p>Please provide the above information in the form of a management plan, prepared in accordance with the <i>Environmental Management Plan Guidelines</i> (2014), that conforms to the SMART principles (Specific, Measurable, Achievable, Relevant and Time-bound). This management plan must have regard to the information contained on the Department's Australian Wetlands Database profile for the Vasse-Wonnerup Ramsar wetland. Specific documents are found under the "More Information" tab, including the Ramsar Information Sheet (RIS).</p>
<p>Listed migratory species (s20 & 20A)</p>	
<p>9.</p>	<p>The Department is of the view that if impacts occur to the Vasse-Wonnerup Ramsar wetland, the proposed action may indirectly impact on listed migratory species, including the Red-necked Stint (<i>Calidris ruficollis</i>).</p>

	<p>Please provide evidence that the proposed action will not cause significant residual impacts to listed migratory species, including the Red-necked Stint. It would be sufficient to demonstrate that impacts will not occur to the Vasse-Wonnerup Ramsar wetland when appropriate avoidance and mitigation measures are implemented, and therefore indirect impacts to migratory species would be unlikely. Alternatively, surveys may be conducted to confirm/deny presence.</p>
10.	<p>The proponent's response regarding whether significant residual impacts are likely to occur to listed migratory species should have regard to the following statutory documents and information:</p> <ul style="list-style-type: none"> • Commonwealth of Australia (2015). <i>Wildlife Conservation Plan for Migratory Shorebirds</i>. Canberra: Department of the Environment. • Other relevant species-specific information, such as on the Red-necked Stint, available on the Department's Species Profile and Threats Database (SPRAT).
Offsets	
11.	<p>Please provide details of all compensatory measures (i.e. environmental offsets) proposed to compensate for the residual significant impacts on EPBC Act listed threatened species and communities, including:</p> <ul style="list-style-type: none"> • the type of offsets proposed; • extent to which the proposed offset actions correlate to, and adequately compensate for, EPBC Act listed species and communities; • suitability of the location of any proposed offset site for EPBC Act listed species and communities, including evidence of the presence of, or usage by, relevant protected matters; • conservation gain to be achieved by the offset i.e. positive management strategies that improve the site or averting the future loss, degradation or damage of the protected matters; • time it will take to achieve the proposed conservation gain; • level of certainty that the proposed offset will be successful; and • current land tenure of any proposed land-based offset and the method of securing and managing that offset.
12.	<p>Demonstrate how any proposed offset is consistent with the Department's <i>EPBC Act Environmental Offsets Policy</i> (October 2012), and provide a completed</p>

	offsets assessment guide (Excel spreadsheet available on the Department's website), and justifications for figures used to complete the offsets assessment guide.
Economic and social matters	
13.	<p>Please provide further details on the social and economic costs and/or benefits of undertaking the proposed action, including:</p> <ul style="list-style-type: none"> • estimates of any anticipated economic costs and/or benefits (in AUD); • explanations for any estimations of costs and/or benefits; • potential employment opportunities expected to be generated at each phase of the proposed action; • key benefits and disadvantages of constructing a second carriageway on the Bussell Highway between Hutton and Sabina; and • details of any public and stakeholder consultation activities, including the outcomes.
Project timeline	
14.	<p>Please provide further details on the timeline of the proposed action, including but not limited to the following stages:</p> <ul style="list-style-type: none"> • The proponent's ambitions for the timeline of the overall EPBC assessment process, noting the 40 days provided for a final decision after the final PD is received by the Department (or 30 days if Major Project status applies); • The proponent's ambitions for the timeline of state assessment with the WA Department of Water and Environmental Regulation/Environment Protection Authority; and • the timeline of the proposed action, including when it will ideally commence, and the timings and duration of vegetation clearing, substrate construction, road construction and any post-construction environmental remediation activities.