

Appeals Convenor
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Dear Appeals Convenor

CPS 6808/3 City of Busselton mountain bike trails –to extend the duration of the permit

The Urban Bushland Council WA Inc (UBC) hereby appeals against the proposed extension of the duration of the Clearing Permit CPS 6808/3, City of Busselton, for the construction of a mountain bike trail network – 2ha.

A class reserve

The UBC was not able to make comment on the original application by the City of Busselton, March 2016, to clear not more than 2ha of bushland, on five lots and two road reserves and in Meelup Regional Park. Meelup Regional Park is an A Class Reserve, vested for the purpose of conservation and recreation.

Whilst Regional Parks have 'no specific legal status or protection' (EDO.org.au Fact sheet 11) Class A Reserves '*are afforded the greatest degree of protection due to their high conservation value.*'

The UBC maintains that the 'conservation' part of 'conservation and recreation' would not include clearing understorey and the 'recreation' part would only include activities not destructive of the natural environment.

Meelup Regional Park lies within the Busselton-Augusta biodiversity hotspot, and factors that influenced the Park's designation as an A class reserve were likely its location, beauty, aboriginal significance, and most importantly, richness of plant and animal species, particularly endemic species. As the Meelup Regional Park website states:

*'The vegetation of the Meelup reserve system is considered to be **of extremely high conservation value.** The diversity of habitat within the reserve system has resulted in a significant range of vegetation and a rich diversity of flora, much of which is not represented elsewhere within the Leeuwin Block major landform.'*

The UBC was shocked to see the extent of destruction caused by the already existing trail bike tracks. The linear extent of the tracks is 24.4km plus 'approximately 11.2kms of existing trails to be widened by one metre' (p2 Clearing Permit), but the area impacted by the close network of tracks must be larger than 2ha. The impact of the track widening will be more than the 1 metre.

Mountain bike trails to be increased

We have learnt that the goal of the South West MTB Masterplan is '*to increase the network to over 500kms*'. (ambmag.com.au website). Mountain bike riding is certainly booming, but those working for increasing the number of kilometres of track may not understand the fragile nature and interaction of the plants, animals and fungi in our biodiversity hotspot. The statement on the AMB website that '*one could be forgiven for thinking that trails are sprouting up in this area just like the iconic wildflowers.*' shows little knowledge of iconic wildflower and vegetation fragility.

Fauna

The 2012 fauna survey found the very high number of 102 fauna species, excluding fish and invertebrates.

Vegetation

The vegetation condition is described as 70% - good to degraded, 25% - excellent to good, and 5% - degraded. (Clearing Permit p3). With the clearing of tracks, all fragmented areas must be deemed degraded.

Advice received from the City of Busselton was that the need for an extension of time is because of delays that occurred in remediating the final stage, on an area that was an old tip site. Perhaps old tip sites to be remediated – are possible places for bike tracks rather than hectares of unique and intact bushland. The UBC is aware of mountain bikers' claimed preferences for trails in bushland or forest, but this is in conflict with the purpose of nature conservation and passive recreation.

Active recreation by mountain biking is totally unacceptable in a Regional Park.

Comments contained in the grant of the Clearing Permit

Although the proponent was granted the clearing permit (CPS 6808/1), and unfortunately there were no appeals, the advice on the Clearing Permit Decision Report (Clearing Permit Decision Report p1) is remarkable. Viz:

*'The assessment identified that the clearing is long and narrow in nature with clearing being limited to the understory, with the overstorey to be retained. Habitat tree retention measures will assist in mitigating impact to fauna. **The clearing is unlikely to have any other significant environmental impact.**'* (UBC bold).

This ignores the high risk of dieback and other disease spread, as well as risks to fauna.

Aurora Environmental Pty Ltd 2015's advice that

'The proposed clearing is not likely to significantly impact upon breeding habitat for the three species of black cockatoo given clearing is limited to the understory, and large trees within the application area will be retained' is an unlikely statement. Black Cockatoos interested in breeding would likely be disturbed with noise and great activity occurring over this area by mountain biking.

Similarly, the statement in the Clearing Permit that *'Habitat tree retention measures will assist in mitigating impacts to fauna'*, is neither instructive nor sensible. Fauna such as Quenda and reptiles are generally earth bound and risk being hit, injured, killed and disturbed. Thus this statement does not justify the proposal.

Dieback

The Appeals Convenor stated that the proposal may be at variance to principle (h) (*Likely to have an impact on the environmental values of any adjacent or nearby conservation area*).

The explanation under Principle (h) states:

The proposed clearing may impact on the environmental values of this reserve through the direct removal of two hectares of vegetation and by increasing edge effects through the spread of weeds and dieback into this conservation area. However, impacts are not likely to be significant given the application area is already weed and dieback infested, the clearing is spread over a long, narrow area, and the widening of existing tracks. (sic) Weed and dieback management practices will minimise the environmental impact to this reserve.'

'Dieback is spread through the movement of soil and mud, especially by vehicles and footwear. It also moves in free water and via root-to-root contact between plants'. (www.dpaw.wa.gov.au). Given the extent of dieback both in the SW and in the Meelup Regional Park, allowing kilometres of mountain bike trails is only **adding to the threats** to susceptible plants of dieback **and other plant diseases** , and the additional ripple effects, over the remainder of the Park. This is unacceptable.

Kilometres of mountain bike trails exist and are being used in Meelup Regional Park and the UBC submits that the extension of time for further tracks and any clearing is not granted.

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