



9th May 2021

Department of Water and Environmental Regulation
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**Clearing permit application for public comment:
CPS 9182/1 Constructing a network of trail links within the Albany Heritage Park. 3.42ha.
The trails are known as 'AHP Link Trials V2'
Bilateral agreement.**

Dear Officer

The Urban Bushland Council WA Inc (UBC) referred this proposal to the EPA under Section 38 of the EP Act as a significant new proposal in July 2018. In that referral the UBC stated that the proposal would have *'a significant impact on the environment and the impact of the inevitable spread of Dieback through the highly valued and iconic A class reserves is likely to be catastrophic.'*

The trails are within 'Various properties within Albany, Middleton Beach, Mount Clarence and Port Albany – all within the Albany Heritage Park. Mt Clarence 114ha is an 'A' class reserve - public parks - and also 'C' class reserve, and Mt Adelaide 84.7 ha is 'A' class reserve - recreation and parklands.

According to a DPLH website, *'Class A has the greatest degree of protection for reserves of Crown land created under the LAA. The A classification is used solely to protect areas of high conservation or high community value.'*

Whilst all the proposed trails are not mountain bike trails, it appears from the Application for a Clearing Permit (page 1) that one is a new mountain bike trail (10,410 Lin.m), one is an upgrade to the existing mountain bike trail (1.188n Lin.m), two are dual use trails. (one new, one upgraded) and two are proposed walk trails, (one new, one upgraded). The **'total area to be cleared for the proposed trails within the 30m buffer will be up to 3.42 ha.'**

Illegal trial bike trail incursions

The Urban Bushland Council WA Inc understands that the environment to which this application relates, has already suffered damage through illegal off-track 'bush bashing' and some trail construction for trail bike riding. Trail bike riding is an increasingly popular activity that is causing significant damage in native vegetation in many parts of the state.

At Roscommon Reserve in Floreat, publicity through social media has led to trail bike riders coming with axes strapped to their backs. (pers comm - resident Roscommon Road). A great deal of damage has been done there.

The UBC submitted an appeal against the proposed extension of time for Clearing Permit CPS 6808/3 City of Busselton, in particular in Meelup Regional Park – an 'A' Class Reserve.

In meeting with the Appeals Convenor, it was suggested to us that as there were illegally constructed bike tracks there, the proposed new and improved tracks were to legitimise where the tracks/riders can go.

For this Albany proposal, pressure applied by the South West MRB and other groups, has had, it would seem, a significant influence on the current proposal. The SW MRB's Masterplan vision is '*to increase the network to over 500 kms.*' (ambmag.com.au website). This implies huge incursions into natural areas.

The fact that 9.2ha of paths are intended to be closed ('*unrequired trails across Albany Heritage Park*') shows the extent of the damage already caused. The statement is noted that '*the proposed trail network has carefully considered the underlying landscape character area and typologies to minimise impact on the natural bushland reserve and also to minimise potential user conflict.*' (Application for a Clearing permit p5). Minimising or reducing impacts does not justify new impacts in the proposals.

However the location of the tracks for trail bike riding (as opposed to passive recreation and biodiversity protection) as well as the extent is certainly not supported.

Extent of and location of the proposed trails

The UBC notes that riders claim to want an 'in nature' feel (p4 Clearing Permit), but we respectively remind the proponent that animals, plants and fungi want and indeed require an in nature experience free from possible death, injury and disruption.

The City of Albany added a variation to their 2019 proposal (EPBC 8480) to **increase** the amount of clearing to 3.4 ha of trails. Increasing clearing is not 'minimising impact footprint' as advised in Project Overview (p5 Application for a Clearing Permit). The UBC does appreciate that many, or most, of the illegal tracks are '*not environmentally sustainable due to their poor location, steep grades and historically poor or illegal construction*' and appreciate that these tracks will be closed. Providing opportunities for trail bike riders to ride is a big problem but we cannot support the fragmentation of natural bushland habitat with the potential to spread dieback and threaten native flora, fauna and fungi.

Tree removal unable to be quantified

It is stated in the application for a clearing permit in answer to 'Number of trees'; '*Unable to be quantified.*' **This is not acceptable.** If this is the case, we would expect some sort of estimate or further comment. It would seem to indicate that the clearing is **too extensive** to be able to study the trees that may be impacted. We are advised that '*Wherever possible, clearing will avoid removal of trees over 100 mm in diameter*'. Also clearing of understorey is significant but this is not being addressed. All mature and substantial trees such as those with a diameter of 100 mm or more **must be avoided**, should any of the proposal be approved.

Mt Clarence (*Corndarup*) and Mt Adelaide (*Irrerup*) - Albany Heritage Park - already fragmented.

An aerial view of the landscape around Albany shows the extent of fragmentation due to roads and tracks through the landscape. No further fragmentation is acceptable.

Aboriginal Heritage

Aboriginal people have lived around the south coast of Western Australia since the time of Nyittingy (Creation time). The Application for a Clearing Permit states that measures taken include 'Aboriginal heritage survey'. But where is this information? The Aboriginal heritage values must all be respected and retained.

Fauna

Australia has a shocking history of destruction of habitat that has led to extinctions and species becoming threatened with or vulnerable to extinction. The Australian Government - Threatened Species under the EPBC Act – states:

'Australia's biodiversity is currently in decline; in Australia, more than 1,700 species and ecological communities are known to be threatened and at risk of extinction.' The key threats to species are loss, degradation and fragmentation of habitat, invasive species and altered fire regimes. Other threats include unsustainable use and management of natural resources, changes to the aquatic environment and water flows and climate change'.

Birds present in this proposal are species that are Matters of National Environmental Significance - viz: Carnaby's, Baudins and Forest Red-tailed Black Cockatoos.

Comments follow on other species.

Western Ringtail Possum: is listed federally as Critically Endangered. This species is not heat tolerant and is susceptible to climate change.

'Quenda: is listed as priority 4 (WA), which means their ongoing survival is dependent on conservation and their numbers need monitoring'.

Honey Possum: *'Although the Honey Possum is not listed as an endangered or threatened species, its range has contracted substantially in the 200 years since European occupation of Western Australia.'* Prior to 1826 the species was present from Jurien Bay to east of Esperance. Threats to the Honey Possum include dieback, declining rainfall and rising temperatures leading to an increase in the frequency of fire, and death of Banksias due to the falling water table. (Don Bradshaw: 'The Honey Possum, Tarsipes rostratus, a keystone species in the Kwongan origins and distribution of the Honey Possum')

Flora: Threatened species of plants are known to persist in the Albany Region and should not be further threatened. In any event, plants should be respected and not thought of as expendable for the so-called greater perceived good.

Conclusion

The UBC is very concerned about loss and fragmentation of supposedly protected sites for an activity that is inappropriate in such sensitive areas. The UBC does not support the legitimization of illegal trail bike tracks, nor the construction of new tracks through sensitive natural areas.

There should not be any bike trails in this Albany Heritage Park and surrounding bushland.

Thus it is recommended that this permit be refused and also that existing mountain bike use be prohibited and actively stopped in this area. Devastation caused by the spread of dieback is reason alone for this.

Another compelling reason is that active recreation by bikers is incompatible with passive recreation and conservation and protection of native fauna. Allowing bikers in a conservation reserve is akin to allowing pedestrians to walk on road freeways.

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