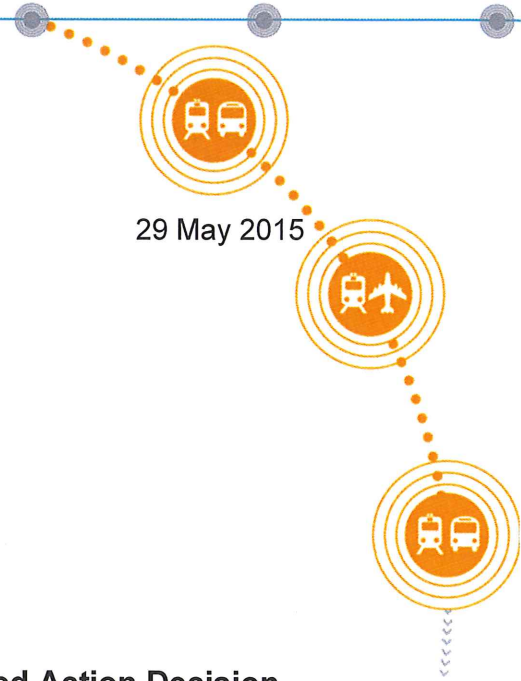


Forrestfield-Airport Link

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Matt Barwick
Assistant Director
South West Section
Environment Assessment and Compliance Division
Department of the Environment
GPO Box 787
CANBERRA ACT 2601

Dear Matt

Forrestfield-Airport Link Reconsideration of Controlled Action Decision (EPBC 2015/7399)

The Public Transport Authority (the Proponent) referred the Forrestfield-Airport Link Project (the Proposal) to the Australian Government Department of the Environment (DotE) under Section 68 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 2 December 2014. The DotE determined that the Proposal has the potential to affect Matters of National Environmental Significance (MNES) and is 'a controlled action' under s75 of the EPBC Act on 30 January 2015 with the controlling provisions being listed threatened species and communities (s18 and s18A of the EPBC Act).

The controlled action decision was based on the understanding of the Floristic Community Types within and immediately adjacent to the development envelope of the Forrestfield-Airport Link in the vicinity of the proposed Forrestfield Station at the time of referral. At this time, a detailed flora survey had been commissioned but not completed. The referral was therefore based on information obtained during a preliminary flora survey and a site visit by the Western Australian Department of Parks and Wildlife (DPaW). The preliminary survey and site visit identified a range of Threatened Ecological Communities (TEC) potentially present within and immediately adjacent to the development envelope in the vicinity of the proposed Forrestfield Station. As a measure of precaution the referral conservatively predicted TEC Swan Coastal Plain (SCP) 20c (*Eastern Shrublands and Woodlands*) to be present, which carries the highest level of protection and is listed under the EPBC Act as Endangered.

Substantial new information became available in May 2015 which demonstrates with a high degree of certainty that a change in the potential impacts of the action on a protected matter exist and are likely to happen. The Proponent is therefore requesting that the original controlled action decision is reconsidered based on the availability of substantial new information in accordance with s78(1)a of the EPBC Act.



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This request is based on the grounds that new information about the impacts that the action will have on a matter protected by a provision of Part 3 of the EPBC Act has become available. Further information on the basis on which the Proponent considers the original controlled action decision should be reconsidered is provided below in the context of the DotE Policy Statement (Reconsideration: Implementing the requirements of sections 78, 78A, 78B and 78C of the EPBC Act).

Has the person making the request provided “information”?

Yes. The Proponent has provided four reports which detail the findings of a detailed Level 2 Flora Survey. Also provided is confirmation from DPaW of the findings of the reports.

Is the information new?

Yes. The information contained within the detailed Level 2 Flora Survey reports was not available when the original controlled action decision was made in January 2015. This information became available in May 2015.

Is the information substantial?

Yes. The floristic analysis contained within the reports was undertaken in accordance with methods recommended and endorsed by DPaW. The findings indicate that the Floristic Community Type present within the development envelope of the Forrestfield-Airport Link is TEC SCP 20a (*Banksia attenuata woodland over species rich dense shrublands*) which is not a matter protected by a provision of Part 3 of the EPBC Act. This information confirms that no listed threatened species and communities as per s18 and s18A of the EPBC Act will be cleared as a result of the action.

The findings also indicate that the Floristic Community Type present immediately adjacent to the development envelope of the Forrestfield-Airport Link is also TEC SCP 20a. This information confirms that no listed threatened species and communities as per s18 and s18A of the EPBC Act and are present immediately adjacent and hence have the potential to be significantly impacted as a result of the action.

To further substantiate this information and provide a high degree of certainty of the change in adverse impacts to a protected matter, DPaW have reviewed and endorsed the findings of the reports. The correspondence received from DPaW is enclosed.

Does the information actually relate to the adverse impacts of the action on a protected matter?

Yes. The information demonstrates that the adverse impacts of the action will now be prevented in their entirety.

We trust that the information provided is sufficient for the original controlled action decision to be reconsidered under s78(1)a of the EPBC Act. Should additional information be required, please do not hesitate to contact me. We acknowledge that there will be a fee associated with the reconsideration.

Kind Regards,



Ray Seman
PROJECT DIRECTOR

Cc: Mike Pengelly, Senior Environmental Officer, Infrastructure Assessment Branch, Office of the Environmental Protection Authority

Enc:

Survey of Floristic Community Types East of Dundas Road, High Wycombe for the Forrestfield-Airport Link Project, Brian Morgan, January 2015

Targeted Survey of Vegetation Floristic Community Types in High Wycombe for the Forrestfield-Airport Link Project, Brian Morgan, January 2015

Survey of Floristic Community Types East of Dundas Rd, for the Forrestfield-Airport Link Project Addendum Report: Additional Analysis, Brian Morgan, May 2015

Targeted Survey of Vegetation Floristic Community Types in High Wycombe for the Forrestfield-Airport Link Project Addendum Report: Additional Analysis, Brian Morgan, May 2015

DPaW Correspondence dated 15 May 2015
