

12 February 2025

Department of Water and Environmental Regulation
Locked Bag 10, Joondalup DC WA 6919
info@dwer.wa.gov.au

To Whom it May Concern,

RE – Portion of Payne Road, Chapman Hill - Clearing Permit Application

Please find herein information pertaining to a clearing permit application on behalf of City of Busselton (the applicant) for roadside vegetation on Payne Road, Chapman Hill (SLK 4.18 to 10.73) (herein referred to as the subject site) (refer to **Figure 1**).

Background

The City of Busselton (the City) continually monitors crashes on its road network, particularly on rural roads, where the operating speeds are typically higher with crashes having a higher severity outcome. This monitoring ensures that the City is in a better position to address concerns where higher than expected crash rates occur, particularly in regards to Killed and Serious injury (KSI) crashes. The City applies for Federal or State Blackspot funding to assist in determining and implementing appropriate counter measures to maximise road safety for the community.

The City has received funding for the reconstruction and widening of Payne Road (SLK4.18 to 12.02) which is to be delivered over the next five financial years (2024/25 to 2028/29). This portion of road has been identified as high risk area. Works involved require the clearing of vegetation in the verge to cater for widened shoulders and drainage infrastructure between SLK4.18 to 10.73.

The first stage of reconstruction and widening, the basis for this application, has been identified and is demarcated in **Figure 1**.

To enable the progression of the project, a clearing permit pursuant to the *Environmental Protection Act 1987* is required. A description and photograph of the trees subject to clearing to enable progression of the project is provided below.

A total of four *Corymbia calophylla* trees are the subject of this application. No native understorey vegetation will be impacted as a component of the works. A summary of the trees subject to clearing is provided as follows:

- Trees 1 -3 require removal to replace an existing culvert;
- Tree 4 requires removal due to proximity to the road seal which is dangerous;
- Only Tree 2 has a diameter at breast height (DBH) in excess of 50 cm. However, this tree has experienced storm damage with only a single branch remaining; and
- None of the trees contain any obvious hollows.



Plate 1. Tree 1 (T1)- A *Corymbia calophylla* tree with a DBH <50 cm.



Plate 2. Tree 2 (T2) – A *Corymbia calophylla* tree with a DBH >50 cm. The top of this tree has broken off during a storm. It provides very limited foraging habitat for black cockatoos (with only a single branch remaining) and does not provide any hollows.



Plate 3. Tree 3 (T3) - A *Corymbia calophylla* tree with a DBH <50cm. No obvious hollows were observed.



Plate 4. Tree 4 (T4) - A single *Corymbia calophylla* tree with a DBH <50 cm.

Avoidance and Mitigation Measures

The road reserve has been purposefully surveyed to determine the minimum clearing requirements, whilst ensuring public safety. As far as practicable, roadside vegetation has been retained. The four trees are required to be cleared to reduce the incidence and intensity of vehicle crashes, and enable upgrades to existing infrastructure. Failure to remove these trees presents an imminent danger to the public.

There are no alternatives to the removal of these trees, as these trees have been identified as being dangerously close to the road or are impacting existing infrastructure. On this basis, alternatives such as bollards are not feasible.

To avoid any direct or indirect impacts to other vegetation within or adjacent to these trees, the applicant has committed to the following mitigation measures:

- Prior to clearing commencing, the 4 trees will be clearly demarcated with flagging tape;
- No vehicular access or parking within vegetated areas in the reserve; and
- No stockpiling of cleared vegetation or storage of equipment within the reserve.

The applicant has also committed to planting the following tubestock within cleared portions of the road reserve):

- 12 *Corymbia calophylla* trees.

Impact Assessment

Any clearing of native vegetation requires a permit in accordance with Part V of the *Environmental Protection Act 1986* (EP Act), except where an exemption applies under Schedule 6 of the Act or is prescribed by regulation in the *Environmental Protection (Clearing Native Vegetation) Regulations 2004*.

The clearing of native vegetation for the purpose of the road upgrades works is subject to a clearing application. Clearing applications are assessed against the Ten Clearing Principles outlined in Schedule 5 of the EP Act. These principles aim to ensure that all potential impacts resulting from the removal of native vegetation can be assessed in an integrated manner.

An examination of the Ten Clearing Principles based upon a site visit and desktop information is provided below.

Table 1: Assessment against the Ten Clearing Principles.

Principle	Assessment	Conclusion
a.) Native vegetation should not be cleared if it comprises a high level of biological diversity	<p>Vegetation mapping (Heddl <i>et.al</i> 1980) indicates that the original vegetation complexes within the clearing area would have included:</p> <ul style="list-style-type: none"> Abba Complex - is dominated by an open-forest of marri, jarrah, banksia and a woodland of marri with the presence of the occasional mountain gum adjacent to the Whicher Scarp. Common plant species include <i>Nuytsia floribunda</i>, <i>Kingia australis</i>, <i>Persoonia longifolia</i> and <i>Banksia grandis</i>. The low-lying areas along the creeks and on the flood plains support a woodland of <i>E. rudis</i>, <i>Melaleuca</i> spp., with common species including <i>M. preissiana</i>, <i>M. raphiophylla</i>, <i>Regelia ciliata</i>, <i>Hypocalymma angustifolia</i>, <i>Pericalymma ellipticum</i>, <i>Hakea varia</i>, <i>Acacia saligna</i>, <i>Astartea scoparia</i>, <i>A. leptophylla</i>, <i>Viminaria juncea</i> and sedges of the <i>Chaetanthus</i>, <i>Schoenus</i>, <i>Hypolaena</i> and <i>Anarthria</i> genera. <p>Vegetation Complex statistics for the Swan Coastal Plain indicate the vegetation extent remaining of the Abba Complex to be 6.6%. (Webb <i>et al.</i> 2016).</p> <p>The clearing area is considered to be in a Completely Degraded (Keighery 1994) condition due to a history of anthropogenic impacts which has resulted in an altered vegetation structure (i.e. absence of under and mid-storey). The clearing area contains limited floristic characteristics associated with the abovementioned vegetation complex and therefore is not considered representative of the Abba complex. Notwithstanding, the removal of 4 trees will have a negligible impact on the vegetation extent remaining of the Abba Complex on a local and regional scale.</p> <p>The condition of the subject site and history of anthropogenic disturbances denotes that the subject site would not contain any Priority or Threatened Ecological communities (PEC or TECs). It is not known to contain any flora of conservation significance.</p> <p>As discussed under Principle (b), the removal of 4 trees will marginally reduce the local extent of foraging habitat, however the impact is unlikely to be significant for fauna species of conservation significance.</p>	Based on the extent of disturbance within the subject site, and the limited clearing footprint, the subject site is not likely to comprise high biodiversity. The proposed clearing is not at variance to this Principle.

Principle	Assessment	Conclusion
	<p>The clearing will result in the removal of 4 native trees. The removal of these trees is not considered likely to significantly impact on the biological diversity of the area.</p> <p>The proposal is not at variance to this Principle.</p>	
<p>b.) Native vegetation should not be cleared if it comprises the whole or part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.</p>	<p>A search of the Department of Biodiversity, Conservation and Attraction's (DBCA's) threatened fauna database and the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) protected matters database indicates the following fauna is likely to be present within a 1 km radius of the subject site:</p> <ul style="list-style-type: none"> • <i>Calyptorhynchus baudinii</i> (Baudin's Cockatoo); • <i>Calyptorhynchus latirostris</i> (Carnaby's Cockatoo); • <i>Calyptorhynchus banksia naso</i> (Forest Red-tailed Black Cockatoo) • <i>Ctenotus ora</i> (Coastal Plains Skink); • <i>Dasyurus geoffroii</i> (Chuditch, Western Quoll); • <i>Isodon fusciventer</i> (Quenda, southwestern brown bandicoot); • <i>Phascogale tapoatafa subsp. wambenger</i> (South-western Brush-tailed Phascogale); and • <i>Pseudocheirus occidentalis</i> (Western Ringtail Possum (WRP). <p>Migratory and wetland fauna have not been included in this list as the required habitat is not present within the subject site and therefore the proposed clearing is unlikely to impact these species.</p> <p>In the <i>EPBC Act referral guidelines for three threatened black cockatoo species</i> (2022), the Commonwealth DCCEEW identify flora species as potential breeding and foraging habitat for the three threatened species of black cockatoo. The proposed works will result in the removal of 1 tree with a DBH in excess of 50cm. However, the majority of this tree has been destroyed following a storm event, with only a single branch remaining. Accordingly, this tree is unlikely to ever be a good candidate for breeding purposes and currently provides negligible habitat for the species. None of the 4 trees subject to clearing contain any obvious hollows. The removal of 4 trees constitutes the</p>	<p>Removal of vegetation within the subject site is not considered to be at variance to this Principle.</p>

Principle	Assessment	Conclusion
	<p>removal of approximately 400 m² of potential foraging habitat for black cockatoos. The City propose to plant 12 marri trees to offset the clearing.</p> <p>In addition, the Whicher Scarp which contains approximately 20,000 ha of jarrah forest is located 5 km south of the clearing area, denoting that this minor short term loss will not impact on regional availability of foraging habitat.</p> <p>The proposed clearing will not result in any impacts to WRP habitat. Subject to the DBCA's <i>Western Ringtail Possum Habitat Suitability</i> mapping, the vegetation subject to clearing is not contained with WRP habitat.</p> <p>The highly disturbed environment of the subject site and very small clearing footprint is unlikely to present a significant impact to any fauna species of conservation significance.</p> <p>Given vegetation within the subject site is degraded and is limited in area, the subject site is not considered to provide significant habitat for conservation significant fauna recorded within the local area.</p>	
c.) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.	<p>The DBCA's threatened (Declared Rare and Priority) flora databases and the EPBC Act protected matters database indicates the following conservation significant flora is likely to be present within a 10 km radius of the subject site:</p> <ul style="list-style-type: none"> • <i>Caladenia busselliana</i>; • <i>Caladenia caesarea</i> subsp. <i>maritima</i>; • <i>Caladenia huegelii</i>; • <i>Caladenia viridescens</i>; • <i>Drakaea elastica</i>; • <i>Drakaea micrantha</i>; and • <i>Eucalyptus x phylacis</i>. <p>The flora and vegetation survey (Plantecology 2025) did not record any conservation significant flora in proximity to the proposed trees subject to clearing. Accordingly, no impacts to flora of conservation significance are anticipated.</p>	Removal of the vegetation within the subject site is not considered to be at variance with this Principle as vegetation impacts are limited to 4 trees and no flora of conservation significance will be impacted.

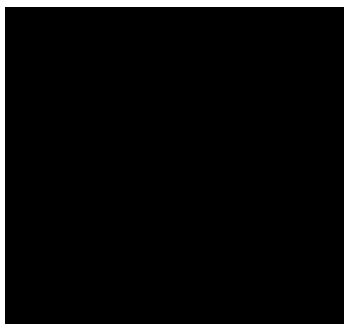
Principle	Assessment	Conclusion
d.) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.	<p>The DBCA defines an ecological community as “a naturally occurring assemblage that occurs in a particular type of habitat” (PWS 2015). A TEC is one that has declined in area or was originally limited in distribution. Uncommon ecological communities that do not strictly meet TEC defined criteria, or are inadequately defined, are listed by the DBCA as a PEC.</p> <p>As well as protection under State legislation, selected ecological communities are also afforded statutory protection at a Federal level pursuant to the EPBC Act. The EPBC Act provides for the protection of TECs, which are listed under section 181 of the Act, and are defined as “Critically Endangered”, “Endangered” or “Vulnerable” under Section 182.</p> <p>A search of the DBCA’s and EPBC databases found one PEC, and one TEC endorsed under State and Commonwealth legislation recorded within proximity to the subject site. This included the ‘Banksia Dominated Woodlands of the Swan Coastal Plain IBRA Region’ ecological community.</p> <p>The flora and vegetation survey (Plantecology 2025) determined that the vegetation subject to clearing was not associated with any TECs or PECs, mostly attributed to the completed degraded vegetation condition. On this basis, the subject site is not likely to comprise or be necessary for the maintenance of a TEC and therefore the proposed clearing is not at variance to this Principle.</p>	Clearing of the 4 trees is not considered to be at variance to this Principle as vegetation consistent with the mapped TEC/PEC is not present within the clearing area.
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.	<p>Vegetation within the clearing area has previously been cleared and subjected to a history of anthropogenic disturbances. Historically, the vegetation would have been representative of the Abba complex. The clearing area does not contain the floristic composition or structure consistent with this vegetation complex. Accordingly, the clearing of 4 trees in a completely degraded area will not impact on the extent of the Abba complex.</p> <p>Furthermore, the subject site does not comprise high biological diversity, is not likely to impact upon significant habitat for fauna indigenous to Western Australia, priority or threatened flora and is not likely to comprise a PEC or TEC. On this basis the subject site is not considered to be a significant remnant within an extensively cleared landscape.</p>	The clearing is not considered to be at variance to this Principle as the vegetation is not considered significant as a remnant of native vegetation.

Principle	Assessment	Conclusion
	The proposed clearing is not at variance to this Principle.	
f.) Native vegetation should not be cleared if it is growing in, or in association with an environment associated with a watercourse or wetland.	No wetlands or watercourses are mapped within the disturbance footprint. Accordingly, no riparian vegetation will be impacted. The proposed clearing is not at variance to this Principle.	Clearing within the subject site is not considered to be at variance with this Principle as no riparian vegetation will be impacted.
g.) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.	Tille and Lantzke (1990) places the vegetation subject to clearing within the Abba wet flats phase, comprised of winter-wet flats and depressions of sandy grey-brown duplexes. This Phase is typically associated with a low risk of wind and water erosion. Furthermore, given the limited amount of vegetation subject to clearing it is very unlikely to cause appreciable land degradation in the form of wind or water erosion. The proposed clearing is not likely to be at variance to this Principle.	Clearing of the subject site is not considered to be at variance to this Principle given the nature of the site and the proposed works.
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.	The proposed clearing will not result in any impacts to the environmental values of any adjacent or nearby conservation areas, as there are none in proximity to the clearing area. In consideration of the above, the clearing is not at variance to this Principle.	The proposed clearing is not considered to be at variance to this Principle as there will be no direct or indirect impacts to conservation areas in proximity to the subject site.
i.) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.	Clearing within the subject site will not impact surface water run-off given the linear and very limited nature of the clearing area, and the short-term nature of the project. Alterations to surface water from the clearing will be extremely localized and will likely be diverted through the existing road stormwater system. The project will not result in any groundwater interactions. The proposed clearing is not likely to be at variance to this Principle.	The clearing is not considered to be at variance to this Principle as it is unlikely that the clearing will alter natural surface water flows or involve groundwater interactions.
j.) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or	The subject site does not contain a watercourse. The limited clearing along a previously disturbed area is highly unlikely to substantially increase runoff and therefore the incidence or intensity of flooding.	Clearing within the subject site is not considered to be at variance to this Principle as it is unlikely to increase run off

Principle	Assessment	Conclusion
exacerbate, the incidence or intensity of flooding.	The proposed clearing is not likely to be at variance to this Principle.	and therefore intensity or incidence of flooding.

Summary

I trust this information is sufficient for your purposes. Should you have any queries or require further information, please do not hesitate to contact the undersigned.



FIGURES



PROJECT Payne Road

DRAWING TITLE 2025/26 Clearing

CLIENT City of Busselton



PO Box 5178
West Busselton
Western Australia 6280
Mobile 0418 950 852

Project Number
Drawing Number
Revision
Date
Sheet 1 of 1

Figure 1
A
6/01/2025

Designed
Drawn
Checked
Approved
Local Authority

PN
PN
City of Busselton

This drawing has been prepared by and remains the property of Accendo Australia Pty Ltd. This drawing shall not be used without permission. The drawing shall be preliminary only and/or not for construction until signed approved.