

17 March 2026

Department of Water and Environmental Regulation
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To Whom it May Concern,

RE – Portion of Marri Drive, Dunsborough - Clearing Permit Application

Please find herein information pertaining to a clearing permit application on behalf of the City of Busselton (the applicant) for roadside vegetation on Marri Drive, Dunsborough (SLK 0.02 to 0.38) (herein referred to as the subject site) (refer to **Figure 1**).

Background

The City of Busselton (the City) continually monitors the condition, connectivity, and safety of its footpath network, particularly in high-use areas and locations with increased pedestrian activity such as schools, activity centres, and coastal precincts. This proactive approach ensures the City is well positioned to identify gaps in connectivity, accessibility constraints, and potential safety risks, including trip hazards and conflict points between pedestrians, cyclists, and vehicles.

The City prioritises upgrades and new footpath infrastructure through its capital works and maintenance programs. These initiatives aim to enhance pedestrian safety, accessibility, and network continuity, encouraging active transport and improving overall community wellbeing.

The City is proposing to construct a footpath along Marri Drive (SLK 0.02 to 0.38) which is to be delivered within this financial year. To undertake the works a 2.5 metre (m) to 5 m wide footprint is required from the west of Marri Drive towards Naturaliste Terrace, adjacent to Marri Reserve. The footprint will accommodate a concrete path, swale drain upgrade and pedestrian fence installation (refer to **Attachment 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 the progression of the project is provided below.

The clearing footprint is comprised of a total area of 0.042 hectares (ha), which includes 14 *Agonis flexuosa* (Peppermint) trees and one *Corymbia calophylla* (Marri) tree. Accendo undertook a site inspection of the clearing footprint on the 25th February 2025 to determine the onsite environmental characteristics.

A summary of the trees subject to clearing is provided as follows (refer to **Figure 1** and **Plates 1-7**):

- Trees 1- 7, 9, 11-12 and 14 are Peppermint regrowth juveniles with a diameter at breast height (DBH) of less than 30 centimetres (cm);
- Trees 8, 10 and 13 are mature Peppermints with a DBH greater than 30 cm. Removal is required to upgrade a historical swale drain;
- Tree 15 is a small Marri tree with a DBH less than 50 cm and requires removal to upgrade a swale drain.

None of the trees subject to clearing contained any obvious hollows or dreys. Understorey is predominantly limited to *Pteridium esculentum*, *Lepidosperma gladiatum* and introduced grass species (refer to **Plate 8**).

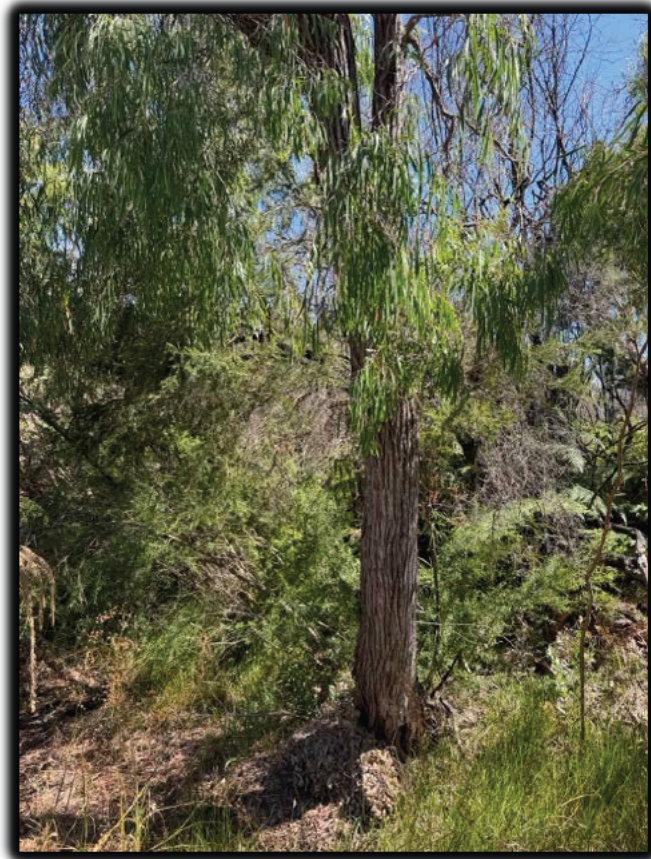


Plate 1. Tree 1, juvenile Peppermint tree to be removed with a DBH <30 cm. Limited native understorey.



Plate 2. Six juvenile Peppermint trees (Trees 2-7) and one mature tree (Tree 8) to be with removed with limited understorey.



Plate 3: Tree 9, juvenile Peppermint tree to be removed with a DBH <30 cm. Limited native understorey.



Plate 4. Trees 10, 11 and 12. One mature Peppermint tree (Tree 10) and two juvenile Peppermint trees (trees 11-12) to be with removed with very limited understorey.



Plate 5. Tree 13, mature Peppermint tree with DBH >30 cm to be removed. Small amount of understorey to be removed. No obvious hollows or dreys were observed.



Plate 6. Tree 14, juvenile Peppermint tree to be removed with a DBH <30 cm. Limited native understorey.



Plate 7. Tree 15, small Marri tree to be removed with a DBH <50 cm. Limited understorey.



Plate 8. Limited native understorey to be cleared, as demarcated between the two red lines.

Avoidance and Mitigation Measures

A site visit was undertaken by Accendo and the City of Busselton in February 2026 to determine the minimum clearing requirements necessary to accommodate the proposed footpath and associated drainage swale, while prioritising public safety. Historical aerial photography confirms that the subject area was previously cleared, and the existing trees are predominantly regrowth within the disturbance footprint. As far as practicable, vegetation retention has been prioritised, and the footpath alignment has been reduced to 1.5 m in constrained sections to retain significant trees.

Of the 15 trees proposed for removal, 11 are juvenile Peppermint trees, three are mature Peppermint trees with a DBH greater than 30 cm, and one is a small Marri tree with a DBH less than 50 cm. The removal of these trees is required to facilitate construction of the footpath and drainage swale, which are necessary to improve pedestrian safety, manage stormwater, and support upgrades to existing infrastructure. Given their proximity to the carriageway and the constrained nature of the road reserve, retaining these trees would compromise the safe delivery of the works and increase the risk of drainage issues, thereby posing an ongoing hazard to the public.

The preliminary design of the pathway placed the path on the southern (residential) side of Marri Drive. However, during public consultation, residents supported the pathway but strongly preferred the

alignment on the northern (reserve) side. Their reasons included improving the bushfire buffer zone from Marri Reserve and reducing conflict between pedestrians and vehicles reversing from driveways.

In response, the City reviewed the design and developed an alternative northern side alignment. During this process, existing erosion issues along the road edge were identified, leading to the inclusion of an open drain to reduce future erosion. Pedestrian fencing was also incorporated to help restrict unauthorised access within Marri Reserve. Accordingly, the proposed alignment within the current road reserve represents the most practical and balanced outcome, having regard to safety, engineering requirements, and community considerations.

There are no feasible alternatives to the proposed clearing, as the trees are located within the required construction footprint for the footpath and drainage infrastructure. Alternative measures, such as further realignment or installation of protective barriers, are not practicable due to spatial constraints and would not adequately address the identified safety and drainage requirements.

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 15 trees and clearing footprint 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 the adjacent Marri Reserve:

- 30 *Agonis flexuosa*; and
- 2 *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 footpath and drainage swale upgrade 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
<p>a.) Native vegetation should not be cleared if it comprises a high level of biological diversity</p>	<p>Vegetation mapping (Heddlé <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. Southern River Complex- is dominated by open woodland of <i>Corymbia calophylla</i> (Marri) - <i>Eucalyptus marginata</i> (Jarrah) - Banksia species with fringing woodland of <i>Eucalyptus rudis</i> (Flooded Gum) - <i>Melaleuca raphiophylla</i> (Swamp Paperbark) along creek beds. <p>Vegetation Complex statistics for the Swan Coastal Plain indicate the vegetation extent remaining of the Abba Complex is 6.6% and the Southern River Complex is 18.8% (Webb <i>et al.</i> 2016).</p> <p>The clearing area is considered to be in a Degraded (Keighery 1994) condition due to a history of anthropogenic impacts which has resulted in an altered vegetation structure (i.e. limited amount 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 or the Southern River complex. Notwithstanding, the removal of 15 predominantly juvenile 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</p>	<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.</p>

Principle	Assessment	Conclusion
	<p>(PEC or TECs). It is not known to contain any flora of conservation significance (Shire of Busselton, 2004).</p> <p>As discussed under Principle (b), the removal of 3 mature peppermint trees and 11 juvenile trees will marginally reduce the local extent of foraging habitat for WRP, however the impact is unlikely to be significant for fauna species of conservation significance.</p> <p>The clearing will result in the removal of 14 Peppermint trees and one Marri tree. 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>Bothriembryon irvineanus</i> (Irvine's bothriembryontid land snail); • <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>Hydromys chrysogaster</i> (Water-rat); • <i>Isoodon fusciventer</i> (Quenda, southwestern brown bandicoot); • <i>Leipoa ocellata</i> (Malleefowl); • <i>Ninox connivens</i> (Barking owl); • <i>Notamacropus irma</i> (Western Brush Wallaby); • <i>Numenius madagascariensis</i> (Numbat); • <i>Phascogale tapoatafa subsp. wambenger</i> (South-western Brush-tailed Phascogale); 	<p>Removal of vegetation within the subject site is not considered to be at variance to this Principle.</p>

Principle	Assessment	Conclusion
	<ul style="list-style-type: none"> • <i>Pseudocheirus occidentalis</i> (Western Ringtail Possum (WRP)); • <i>Setonix brachyurus</i> (Quokka); and • <i>Tyto novaehollandiae</i> (Masked Owl). <p>Migratory and marine 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>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 mapped as medium suitability WRP habitat. No dreys or possums were observed in the trees subject to clearing during the site visit conducted by Accendo in 2026. The total clearing footprint equates to the removal of approximately 0.042 ha of potential WRP habitat. The City propose to plant 2 marri and 30 peppermint trees to offset the clearing.</p> <p>In addition, the Marri Reserve which contains approximately 9.3 ha of Marri forest, borders the disturbance footprint, denoting that this minor short term loss will not impact on the local availability of foraging habitat.</p> <p>No impacts to black cockatoo habitat are anticipated given that only one juvenile marri tree is subject to clearing. The remainder of the vegetation within the subject site does not constitute quality foraging or breeding habitat for black cockatoos.</p> <p>The 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	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 1 km radius of the subject site:	Removal of the vegetation within the subject site is not considered to be at variance with this Principle as vegetation

Principle	Assessment	Conclusion
<p>necessary for the continued existence of, rare flora.</p>	<ul style="list-style-type: none"> • <i>Acacia semitrullata</i>; • <i>Banksia sessilis</i>; • <i>Caladenia busselliana</i>; • <i>Caladenia caesarea subsp. maritima</i>; • <i>Caladenia excelsa</i> • <i>Caladenia huegelii</i>; • <i>Caladenia viridescens</i>; • <i>Calothamnus graniticus</i>; • <i>Dampiera triloba</i>; • <i>Daviesia elongate</i>; • <i>Diuris micrantha</i>; • <i>Dillwynia sp. Capel</i> • <i>Drakaea elastica</i>; • <i>Drakaea micrantha</i>; • <i>Eucalyptus x phylacis</i> • <i>Gastrolobium argyrotichum</i>; • <i>Hemigenia ramosissima</i>; • <i>Johnsonia inconspicua</i>; • <i>Loricobbia pinifolia</i>; • <i>Stylidium striatum</i>; • <i>Synaphea decumbens</i> <p>Flora of conservation significance has not been positively identified within the subject site during historical flora surveys (Shire of Busselton, 2004). Accordingly, no impacts to flora of conservation significance are anticipated.</p>	<p>impacts are limited to 15 trees and no flora of conservation significance will be impacted.</p>
<p>d.) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance</p>	<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>Clearing of the 15 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.</p>

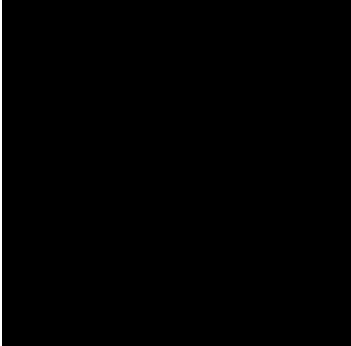
Principle	Assessment	Conclusion
<p>of a threatened ecological community.</p>	<p>As well as protection under State legislation, selected ecological communities are also afforded statutory protection at a Federal level pursuant to the EPBC Act. The EPBC Act provides for the protection of TECs, which are 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 four TEC’s 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, Clay Pans of the Swan Coastal Plain, Tuart (<i>Eucalyptus gomphocephala</i>) Woodlands and Forests of the Swan Coastal Plain ecological community and the Empodisma peatlands of southwestern Australia.</p> <p>The site survey conducted by Accendo in February 2026 determined that the vegetation subject to clearing was not associated with any TECs or PECs, mostly attributed to the degraded vegetation condition and absence of key indicator species. 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>	
<p>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>	<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 or the Southern River complex. The clearing area does not contain the floristic composition or structure consistent with this vegetation complex. Accordingly, the clearing of 0.042 ha in a degraded area will not impact on the extent of the Abba complex or the Southern River 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> <p>The proposed clearing is not at variance to this Principle.</p>	<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.</p>

Principle	Assessment	Conclusion
<p>f.) Native vegetation should not be cleared if it is growing in, or in association with an environment associated with a watercourse or wetland.</p>	<p>The <i>Geomorphic Wetlands Leeuwin Naturaliste Ridge and Donnybrook to Nannup – Unreviewed</i> dataset maps the majority of the subject site as a floodplain wetland. There are no mapped watercourses within the disturbance footprint how a natural drainage channel runs adjacent to the disturbance footprint in the reserve. Accordingly, no riparian vegetation will be impacted.</p> <p>The proposed clearing is not at variance to this Principle.</p>	<p>Clearing within the subject site is not considered to be at variance with this Principle as no riparian vegetation will be impacted.</p>
<p>g.) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.</p>	<p>The Department of Primary Industry and Regional Development’s (DPIRD’s) <i>Natural Resource Information Portal (NRInfo)</i> places the vegetation subject to clearing within the following soil two phases</p> <ul style="list-style-type: none"> • Abba deep sandy rises phase comprised of Gently sloping low dunes and rises (0-5% gradients) with deep bleached sands; and • Abba wet flats phase, comprised of winter-wet flats and depressions of sandy grey-brown duplexes. <p>These phases are 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.</p> <p>The proposed clearing is not likely to be at variance to this Principle.</p>	<p>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.</p>
<p>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.</p>	<p>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.</p> <p>In consideration of the above, the clearing is not at variance to this Principle.</p>	<p>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.</p>
<p>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.</p>	<p>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.</p>	<p>The clearing is not considered to be at variance to this Principal as it is unlikely that the clearing will alter natural surface water flows or involve groundwater interactions.</p>

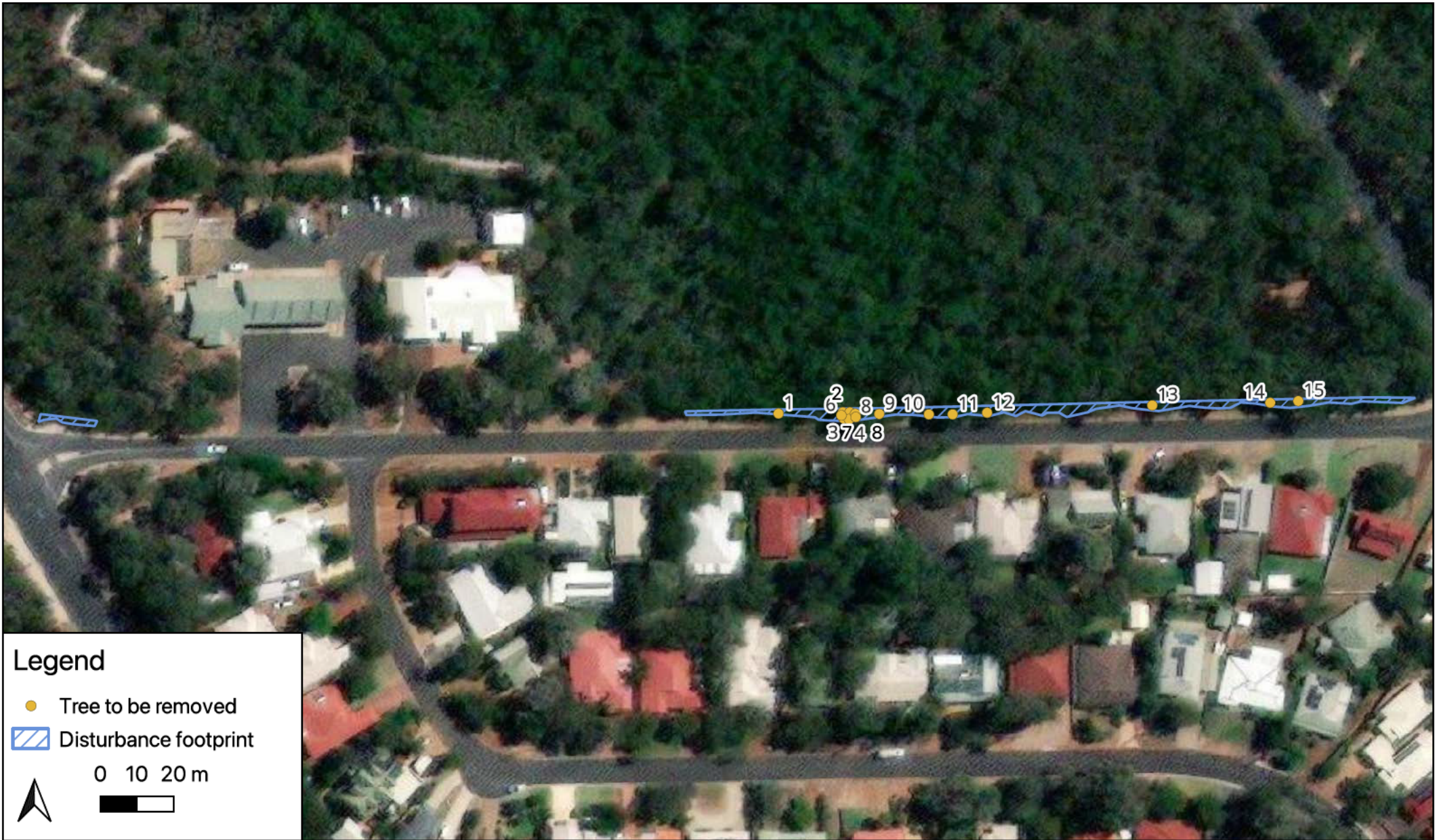
Principle	Assessment	Conclusion
	<p>Alterations to surface water from the clearing will be extremely localized and will likely be diverted through the existing drainage system and the upgraded drainage swale. The project will not result in any groundwater interactions.</p> <p>The proposed clearing is not likely to be at variance to this Principle.</p>	
<p>j.) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.</p>	<p>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. However, an existing drainage line runs adjacent to the footprint.</p> <p>The proposed clearing is not likely to be at variance to this Principle.</p>	<p>Clearing within the subject site is not considered to be at variance to this Principle as it is unlikely to increase run off and therefore intensity or incidence of flooding.</p>

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.

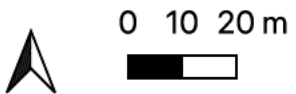


FIGURES



Legend

- Tree to be removed
- Disturbance footprint



PROJECT Marri Drive, Dunsborough

DRAWING TITLE Figure 1- Clearing areas

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

2613
 Figure 1
 A
 17/03/2026

Designed
 Drawn
 Checked
 Approved
 Local Authority

NC
 PN
 City of Busselton

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