

22 October 2020

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

**RE – Beach Road, Dunsborough - Clearing Permit Application**

Please find herein information pertaining to a clearing permit (purpose) application on behalf of the City of Busselton.

**Background**

The City of Busselton are proposing to construct a two (2) metre (m) wide concrete footpath along a portion of Beach Road in Dunsborough (herein referred to as the subject site) (refer to **Figure 1** and **2**). The subject site is located in the municipality of the City of Busselton, approximately 1.4 km from the Dunsborough town centre.

The proposed construction works will require the removal of three native trees including a *Corymbia calophylla* (marri), *Melaleuca* species (paperbark) and *Callistemon* species (bottlebrush). A range of exotic, planted species will also be cleared (refer to **Plate 1** and **2**).



Plate 1: Beach Road, view towards Gifford Road.



Plate 2: Beach Road, view towards Naturaliste Terrace.

The three native tree species that are the subject of this clearing permit application are described in further detail below.

A single *Corymbia calophylla* (marri) (as identified in **Plate 3**) is located within the clearing footprint. In the *EPBC Act referral guidelines for three threatened black cockatoo species* (2012), the Commonwealth Department of Agriculture, Water and the Environment (DAWE) identify mature marri trees as potential breeding and foraging habitat for the three threatened species of black cockatoo (Carnaby's cockatoo (*Calyptorhynchus latirostris*), Baudin's cockatoo (*Calyptorhynchus baudinii*) and the forest red-tailed black cockatoo (*Calyptorhynchus banksia naso*)).

The DAWE define 'breeding habitat' as trees of species known to support breeding which either have a suitable nest hollow or are of a suitable diameter at breast height (DBH) to develop a nest hollow. For most tree species, a suitable DBH is 50 cm.

The marri tree subject to clearing has a DBH of approximately 20 cm which precludes the individual tree from being classified as breeding habitat. Furthermore, its juvenile age denotes that it is unlikely to provide significant foraging habitat for the three threatened species of black cockatoo.



**Plate 3: *Corymbia calophylla* (marri) tree to be removed**

It is anticipated that the proposed ground disturbing works will impact the root systems of a *Melaleuca* species (paperbark) and *Callistemon* species (bottlebrush) (refer to **Plates 4, 5 and 6**). Accordingly, these two trees will require removal.



**Plate 4: Root system of paperbark to be removed.**



**Plate 5: Paperbark tree to be removed.**



**Plate 6: Bottlebrush to be removed.**

### **Minimisation and Mitigation Measures**

The Applicant undertook an assessment of Beach Road prior to determining a suitable location for the proposed footpath. This included a visual assessment of vegetation within the proposed footpath locations.

Upon completion of this assessment, it was determined that the northern side of Beach Road contained more native vegetation than the southern side. A footpath on the northern side of the road would result in a greater environmental impact. Accordingly, the southern side of Beach Road has been selected for the proposed footpath location which will significantly reduce impacts to native vegetation. It is considered that no other reasonable and practicable avoidance measures can be implemented within the clearing footprint.

To avoid any direct or indirect impacts to adjoining crown reserves, the Applicant has committed to the following mitigation measures:

- No vehicular access to these reserve areas; and
- No stockpiling of cleared vegetation or storage of equipment within the reserve areas.

### **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 exception applies under Schedule 6 of the Act or is prescribed by regulation in the *Environmental Protection (Clearing Native Vegetation) Regulations 2004*. The proposed clearing footprint is located within an Environmentally Sensitive Area associated with a mapped Threatened Ecological Community (TEC).

The clearing of native vegetation for the purpose of a footpath will require an approved clearing permit. 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 applied against a desktop investigation and site-specific inspection 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>The subject site consists of previously cleared land with cultivated, largely non-endemic species. Mapping (Mattiske and Havel 1998) indicates original vegetation complexes within the subject site would have included:</p> <ul style="list-style-type: none"> <li>• Wilyabrup (W2), open forest of <i>Corymbia calophylla</i> – <i>Allocasuarina decussata</i> – <i>Agonis flexuosa</i> on deeply incised valleys in perhumid and humid zones; and</li> <li>• Wilyabrup (Wr), woodlands of <i>Corymbia calophylla</i> – <i>Eucalyptus marginata</i> subsp. <i>marginata</i> with closed heath of <i>Myrtaceae</i> – <i>Proteaceae</i> – <i>Papilionaceae</i> spp. on steep rocky slopes in the hyper humid zone.</li> </ul> <p>The subject site is in a completely degraded (Keighery 1994) condition as result of the residential development. The subject site does not contain any floristic characteristics associated with the abovementioned vegetation complexes as the vegetation structure has been completely altered.</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), or flora of conservation significance.</p> <p>As discussed under Principle (b), the subject site is not likely to comprise significant habitat for the conservation significant black cockatoo species, or any conservation significant fauna species.</p> <p>The clearing will result in the removal of, at most, three native trees (<i>Corymbia calophylla</i> (marri), <i>Melaleuca</i> species (paperbark) and <i>Callistemon</i> species (bottlebrush)). The removal of these three 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>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>
<p>b.) Native vegetation should not be cleared if it comprises the whole or part of, or is necessary</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</i></p>	<p>Removal of vegetation within the subject site is not considered to be at variance to this principle as the limited clearing of low</p>

Principle	Assessment	Conclusion
<p>for the maintenance of, a significant habitat for fauna indigenous to Western Australia.</p>	<p>Act 1999 (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"> <li>• <i>Calyptorhynchus baudinii</i> (Baudin’s Cockatoo);</li> <li>• <i>Calyptorhynchus latirostris</i> (Carnaby’s Cockatoo);</li> <li>• <i>Calyptorhynchus banksia naso</i> (Forest Red-tailed Black Cockatoo)</li> <li>• <i>Ctenotus ora</i> (Coastal Plains Skink);</li> <li>• <i>Dasyurus geoffroii</i> (Chuditch, Western Quoll);</li> <li>• <i>Isoodon fusciventer</i> (Quenda, southwestern brown bandicoot);</li> <li>• <i>Phascogale tapoatafa subsp. wambenger</i> (South-western Brush-tailed Phascogale); and</li> <li>• <i>Pseudocheirus occidentalis</i> (Western Ringtail Possum (WRP));</li> </ul> <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> (2012), the Commonwealth DAWE identify mature marri trees as potential breeding and foraging habitat for the three threatened species of black cockatoo.</p> <p>The DAWE define ‘breeding habitat’ as trees of species known to support breeding which either have a suitable nest hollow or are of a suitable DBH to develop a nest hollow. For most tree species, a suitable DBH is 50 cm.</p> <p>The marri tree subject to clearing has a DBH of approximately 20 cm which precludes the individual tree from being classified as breeding habitat. Furthermore, its juvenile age denotes that it is unlikely to provide significant foraging habitat for the three threatened species of black cockatoo. Accordingly, no loss of significant habitat for black cockatoos is expected.</p> <p>An area mapped as ‘Very High’ WRP habitat is located approximately 120 m south of the subject site. The subject site does not contain vegetation associated with quality WRP habitat and therefore the project will not result in the loss of significant habitat for WRPs.</p>	<p>quality habitat will not impact the success of any fauna indigenous to Western Australia.</p>

Principle	Assessment	Conclusion
	<p>The highly urbanized environment of the subject site and absence of suitable habitat denotes that the removal of three native tree species is unlikely to present a significant impact to any fauna species of conservation significance.</p> <p>Given vegetation within the subject site is completely degraded and almost completely devoid of native species, the subject site is not considered to provide significant habitat for conservation significant fauna recorded within the local area.</p>	
<p>c.) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.</p>	<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 1km radius of the subject site:</p> <ul style="list-style-type: none"> <li>• <i>Caladenia busselliana</i>;</li> <li>• <i>Caladenia caesarea subsp. maritima</i>;</li> <li>• <i>Caladenia huegelii</i>;</li> <li>• <i>Caladenia viridescens</i>;</li> <li>• <i>Drakaea elastica</i>;</li> <li>• <i>Drakaea micrantha</i>; and</li> <li>• <i>Eucalyptus x phylacis</i>.</li> </ul> <p>Given the completely degraded condition of the subject site and ongoing anthropogenic impacts, it is highly unlikely that any flora of conservation significance exists within the subject site. On this basis, the proposed clearing is not at variance to this principle.</p>	<p>Removal of the vegetation within the subject site is not considered to be at variance with this principle as native vegetation has previously been removed.</p>
<p>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>	<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</p>	<p>Clearing of the subject site is not considered to be at variance to this principle as vegetation consistent with the mapped TEC is not present within the subject site.</p>

Principle	Assessment	Conclusion
	<p>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 subject site does not contain any vegetation consistent with this PEC/TEC, and contains vegetation in a completely degraded 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>	
<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 area has previously been cleared and is not consistent with the mapped native vegetation present prior to clearing. Furthermore, the subject site does not comprise a 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>Clearing within the subject site is not considered to be at variance to this principle as the vegetation is not considered significant as a remnant of native vegetation.</p>
<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 DBCA’s <i>Geographic Wetlands Leeuwin Naturaliste and Donnybrook to Nannup</i> database shows a palusvale wetland crossing Naturaliste Terrace at the western end of Beach Road. Vegetation associated with this wetland is not contained within the subject site. The project will not involve clearing of any riparian native vegetation or clearing of vegetation in proximity to a watercourse.</p> <p>The proposed clearing is unlikely to be 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 or clearing in proximity to a watercourse will be undertaken.</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 sandy soils present within the subject site can be prone to wind and water erosion. However, given the narrow nature of the proposed clearing of vegetation which is in a completely degraded condition, and the immediate works to install the footpath, the</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>



Principle	Assessment	Conclusion
	<p>proposed clearing is not likely 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>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 subject site adjoins crown reserves at the intersection of Beach Road and Naturaliste Terrace at the eastern end, and Beach Road and Gifford Road to the north.</p> <p>The proposed clearing is unlikely to indirectly impact these reserves via the spread of weeds or disease given the highly developed nature of the surrounding environment. Furthermore, vehicular access to these reserves will be prohibited during construction works.</p> <p>Given the limited native vegetation present, the subject site does not form an ecological link and the clearing will not result in fragmentation between the two reserves.</p> <p>In consideration of the above, the clearing is unlikely to be 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 nature of the clearing area, the small clearing footprint and the short-term nature of the project.</p> <p>Alterations to surface water from the clearing will be extremely localized and will likely be diverted through the adjacent road stormwater system. 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>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>
<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 with the construction of infrastructure related to Beach Road is highly unlikely to substantially increase runoff and therefore the incidence or intensity of flooding.</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

The above assessment of the proposed clearing against the Ten Clearing Principles demonstrates that the clearing is not at variance to any of the principles. Furthermore, given the degraded condition of the vegetation within the subject site and the history of anthropogenic disturbances, it is anticipated that there will be no residual impacts that will require the implementation of offsets.

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.

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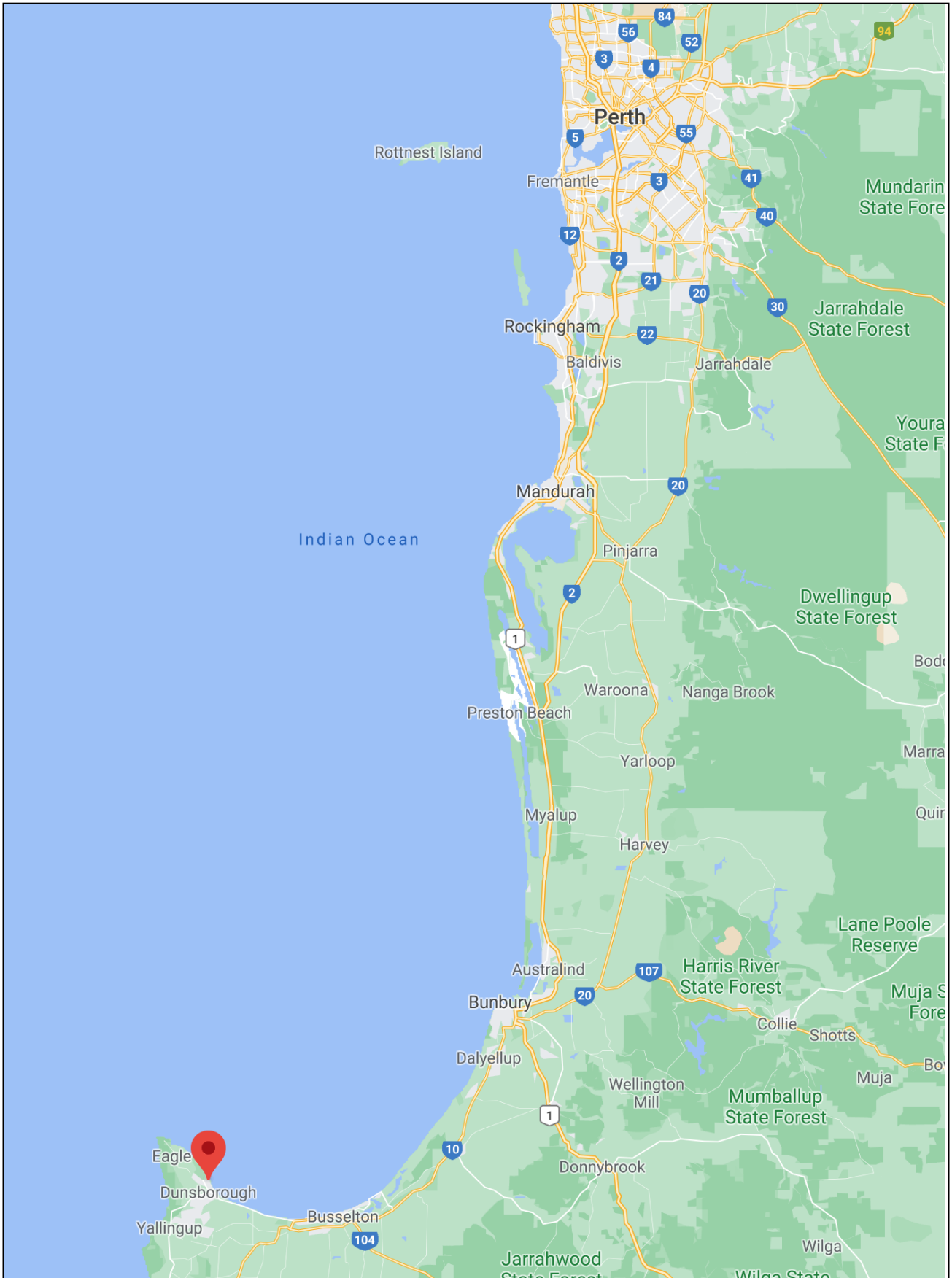
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# FIGURES



PROJECT Beach Road, Dunsborough

Project Number 2050  
 Drawing Number Figure 1  
 Revision A

DRAWING TITLE Figure 1 – Site Locality

Designed PN  
 Drawn PN  
 Checked Approved

CLIENT City of Busselton



Date 22/10/2020  
 Local Authority City of Busselton  
 Sheet 1 of 1

PO Box 5178  
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### Legend

Native Trees

- Callistemon species (GPS cords: 115.10075665, -33.60559841)
- Corymbia calophylla (GPS cords: 115.09958184, -33.60606083)
- Melaleuca species (GPS cords: 115.10124347, -33.60541634)

— Subject site

■ Crown Reserves

PROJECT Beach Road, Dunsborough

DRAWING TITLE Figure 2 Site Extent

CLIENT City of Busselton

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Project Number	2050	Designed	PN
Drawing Number	Figure 2	Drawn	PN
Revision	A	Checked	
Date	23/10/2020	Approved	
Sheet 1 of 1		Local Authority	City of Busselton

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