

Level 2, 27-31 Troode Street West Perth WA 6005 T +61 8 9211 1111

Date: 24 November 2020

Department of Water and Environment Regulation Locked Bag 33 Cloisters Square PERTH WA 6850

Dear Sir / Madam,

Clearing permit application: Margaret River Senior High School

Please find attached a purpose permit clearing application to clear up to 59 native trees within the Margaret River Senior High School to facilitate the creation of an AFL sized oval.

Background

The Margaret River Senior High School is located within the Margaret River town site, approximately 280 kilometres south of Perth, in the Shire of Augusta-Margaret River (Figure A). As part of the staged implementation of the Margaret River Senior High School's master plan, an AFL sized oval is proposed to be created within a southern part of the high school.

The proposed works area has been subject to historical and ongoing disturbance as part of the development and operation of the high school and comprises scattered native and planted trees over an understorey of non-native grass and introduced weed species (Figure B).

A tree survey (Paperbark Technologies 2020)¹ of the proposed works area was undertaken by Paperbark Technologies in October 2020 to inform the proposed landscape plan for the new oval. The following tree species were identified within the proposed works area by Paperbark Technologies (2020):

- Agonis flexuosa (peppermint)
- Corymbia calophylla (marri)
- *Corymbia maculata (spotted gum)
- Eucalyptus cornuta (yate)
- Eucalyptus diversicolor (karri)
- *Eucalyptus globulus (Tasmanian blue gum)
- Eucalyptus marginata (jarrah).

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¹ Paperbark Technologies 2020. Tree Survey, Margaret River Senior High School. Unpublished report prepared for Plan E Landscape Architects.

Most of the trees are native, with *Corymbia maculata (spotted gum) and *Eucalyptus globulus (Tasmanian blue gum) being east coast species (and hence not considered to be native vegetation).

A flora and fauna assessment (Ecosystem Solutions 2020)², inclusive of a targeted black cockatoo tree assessment and western ringtail possum habitat assessment, was subsequently undertaken of the proposed works area by Ecosystem Solutions in November 2020. The flora and fauna assessment (Ecosystem Solutions 2020) characterised the flora, delineated vegetation units, provided an assessment of the conservation significance of the flora, vegetation and fauna, including an assessment against the Commonwealth's significant impact guidelines for black cockatoos and western ringtail possum.

Supporting the above purpose permit clearing application, the following figures and documents have been provided:

- Figures A to C
- Appendix A: Application for a Clearing Permit (Purpose Permit)
- Appendix B: Tree Survey Margaret River Senior High School (Paperbark Technologies 2020)
- Appendix C: Flora and Fauna Significance Assessment (Ecosystem Solutions 2020)
- Appendix D: Certificate of Title
- Appendix E: Landholder consent
- Shapefile data.

Landholder context

The Margaret River Senior High School is located on Lot 569 Bussell Highway, which is owned by the state of Western Australia and managed by the Department of Education (DoE). The Certificate of Title for Lot 569 has been provided as Appendix D. The DoE has been consulted regarding the proposed clearing of native trees within Lot 569. The DoE has provided endorsement for the clearing of native trees within Lot 569 to facilitate the creation of the AFL sized oval (Appendix E).

Proposed clearing area

Figure B shows the native trees proposed to be cleared within the proposed works area and details the tree species and hollow context of these trees, as identified by the tree survey (Paperbark Technologies 2020; Appendix B) and flora and fauna assessment (Ecosystem Solutions 2020; Appendix C).

The creation of the AFL sized oval will result in the clearing of up to 59 native trees. A summary of the purpose permit clearing application is provided below in Table 1.

Table 1: Clearing proposal summary

Location	Lot 569 Bussell Highway, Margaret River				
Clearing area	59 native trees				
Timing	Clearing is proposed occur as one action between the 2021 and 2022 calendar years				
Clearing method	The native trees will be cleared mechanically				
Purpose of clearing	To facilitate the creation of an AFL sized oval at the Margaret River High School as part of the staged implementation of the master plan				
Vegetation proposed to be cleared	 Up to 23 Agonis flexuosa (peppermint) trees Up to 13 Corymbia calophylla (marri) trees Up to 19 Eucalyptus cornuta (yate) trees Up to two Eucalyptus diversicolor (karri) trees Up to two Eucalyptus marginata (jarrah) trees 				

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² Ecosystem Solutions. 2020. Flora and Fauna Significance Assessment. Unpublished report prepared for RPS Australia West.

Vegetation and flora

The flora and fauna assessment (Ecosystem Solutions 2020) was undertaken in accordance with the Environmental Protection Authority's (EPA) Technical Guidance: Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment (EPA 2016)³.

The key findings of the tree survey (Paperbark Technologies 2020) and flora and fauna assessment (Ecosystem Solutions 2020) of relevance to the vegetation and flora values proposed to be permanently lost through clearing are summarised as follows:

- No TECs listed under the Biodiversity Conservation Act 1950 (BC Act) or the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) were recorded. No DBCA listed Priority Ecological Communities (PECs) were recorded.
- One vegetation unit was described and mapped within the proposed works area
 - Eucalyptus cornuta, *Corymbia citriodora, Agonis flexuosa, Corymbia calophylla, Eucalyptus
 patens open forest of Agonis flexuosa, Eucalyptus cornuta low woodland over *Cirsium vulgare
 scattered shrubs over *Cenchrus clandestinus and introduced annual tussock grassland.
- All the native vegetation is in Degraded or worse condition.
- No Threatened flora species listed under the BC Act or any species protected under the EPBC Act were recorded. No DBCA listed Priority species were recorded.

Black cockatoos

The Revised Draft Referral Guideline for the Three Threatened Black Cockatoo Species (Department of the Environment and Energy 2017)⁴ provides updated information and requirements on habitat quality, survey expectations, standards for mitigating impacts and significant impacts for black cockatoo species.

In addition to the information contained in the earlier 2012 guidance, the revised draft referral guideline identifies that the following actions are likely to result in significant impacts to black cockatoo species:

- Clearing of known nesting tree⁵ or breeding habitat
- Complete clearance of roost sites that are close to high quality foraging habitat and water resources in non-breeding areas
- Clearing very high to high quality foraging habitat.

No evidence of any black cockatoo breeding, roosting or foraging was observed by Ecosystem Solutions (2020).

Potential foraging habitat

Table 2 details the potential black cockatoo foraging habitat proposed to be permanently lost through clearing within the proposed works area, with Figure B presenting its spatial extent.

Table 2: Potential black cockatoo foraging habitat proposed to be cleared

Tree species	No. of trees	Canopy cover (ha)
Marri (Corymbia calophylla)	13	0.11
Jarrah (<i>Eucalyptus marginata</i>)	2	0.02
Total	15	0.13

³ Environmental Protection Authority. 2016. Technical Guidance: Flora and Vegetation Surveys for Environmental Impact Assessment. EPA, Western Australia

⁴ Department of Environment and Energy. 2017. Revised draft referral guideline for three threatened black cockatoo species: Carnaby's cockatoo (Endangered) *Calyptorhynchus latirostris*, Baudin's cockatoo (Vulnerable) *Calyptorhynchus baudinii* and Forest red-tailed black cockatoo (Vulnerable) *Calyptorhynchus banksii naso*. Canberra, Australian Capital Territory.

⁵ Any existing tree in which breeding has been recorded or suspected.

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Table 2 identifies that up to 15 trees, which include approximately 0.13 ha of potential black cockatoo foraging habitat, are proposed to be cleared. The removal of 0.13 ha of potential black cockatoo foraging habitat is not at variance with any high-risk factors where referral is recommended in the EPBC Act Referral Guidelines (Commonwealth of Australia 2012⁶; Commonwealth of Australia 2017⁷). This conclusion is shared by the Ecosystem Solutions (2020) significant impact assessment (Appendix C).

Potential breeding habitat

The tree survey (Paperbark Technologies 2020) identified 69 trees that are required to be removed to facilitate the creation of the oval. Of these trees, *Corymbia calophylla* (marri), *Eucalyptus cornuta* (yate), *Eucalyptus diversicolor* (karri), and *Eucalyptus marginata* (jarrah) with diameter at breast height (DBH) greater than 500 mm are identified as potential black cockatoo breeding habitat by Ecosystem Solutions (2020). Up to 13 potential black cockatoo breeding trees are proposed to be permanently lost through clearing (Table 3).

Table 3: Potential black cockatoo foraging habitat proposed to be cleared

Tree species	Tree count	Tag no.	DBH (mm)	Potential breeding habitat	Hollows
Corymbia calophylla (marri)	1	23	525	Υ	N
	2	24	390	N	N
	3	25	570	Υ	N
	4	35	280	N	N
	5	36	1060	Υ	N
	6	41	520	Υ	N
	7	44	450	N	N
	8	45	340	N	N
	9	47	530	Υ	N
	10	52	660	Υ	N
	11	55	560	Υ	N
	12	67	510	Υ	N
	13	88	190	N	N
Eucalyptus	1	69	270	N	N
cornuta (yate)	2	70	270	N	N
	3	71	340	N	N
	4	72	260	N	N
	5	73	370	N	N
	6	74	310	N	N
	7	75	270	N	N
	8	76	450	N	N
	9	77	340	N	N
	10	78	250	N	N
	11	79	510	Υ	N

⁶ Commonwealth of Australia. 2012. EPBC Act referral guidelines for three threatened black cockatoo species: Carnaby's Cockatoo (endangered) *Calyptorhynchus latirostris*, Baudin's Cockatoo (vulnerable) *Calyptorhynchus baudinii* and Forest Red-tailed Black Cockatoo *Calyptorhynchus banksii naso*. Canberra: Australian Capital Territory.

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⁷Commonwealth of Australia. 2017. Revised draft referral guideline for three threatened black cockatoo species: Carnaby's Cockatoo (endangered) *Calyptorhynchus latirostris*, Baudin's Cockatoo (vulnerable) *Calyptorhynchus baudinii* and Forest Red-tailed Black Cockatoo *Calyptorhynchus banksii naso*. Canberra: Australian Capital Territory.

Tree species	Tree count	Tag no.	DBH (mm)	Potential breeding habitat	Hollows
	12	80	430	N	N
	13	81	220	N	N
	14	82	340	N	N
	15	83	430	N	N
	16	84	530	Υ	N
	17	85	580	Υ	N
	18	86	340	N	N
	19	87	430	N	N
Eucalyptus diversicolor (karri)	1	3	1280	Υ	N
	2	66	1480	Υ	Υ
Eucalyptus marginata (jarrah)	1	91	340	N	N
	2	92	470	N	N
Total				13	

One *Eucalyptus diversicolor* (karri) proposed to be removed has two hollows. Ecosystem Solutions (2020) states that these hollows are too narrow (<150 mm) to be used by black cockatoos. Therefore, this karri tree (Tag no. 66; see Appendix B) is not considered to be currently suitable to be used as a nest site by black cockatoos.

Potential roosting habitat

Of the 69 trees that are required to be removed to facilitate the creation of the oval, only the *Agonis flexuosa* (peppermint) trees are not considered to provide potential roosting habitat. Therefore, up to 46 potential black cockatoo roosting trees are proposed to be cleared.

These trees are located within the Margaret River Senior High School and are not proximate to high quality foraging habitat. The clearing of the 46 trees is not considered to constitute a complete clearance of a potential roost site as at least 18 potential black cockatoo roosting trees are proposed to be retained within the proposed works area (Figure B). Clearing of the 46 potential black cockatoo roosting trees is unlikely to result in a significant impact to black cockatoos and does not warrant an EPBC Act referral. This conclusion is shared by the Ecosystem Solutions (2020) significant impact assessment (Appendix C).

Western ringtail possum

The tree survey (Paperbark Technologies 2020) identified that up to 23 *Agonis flexuosa* (peppermint) trees, with a total tree canopy of 0.15 ha are proposed to be cleared to facilitate the creation of the oval. *Agonis flexuosa* (peppermint) trees are the key component of western ringtail possum habitat (Department of the Environment, Water, Heritage and the Arts 2009a)⁸.

The western ringtail possum survey undertaken by Ecosystem Solutions (2020) did not record any possum observations. However, three dreys were recorded, with scats also observed at two additional locations indicating that the proposed works area is used at least to some extent by western ringtail possum (Ecosystem Solutions 2020). The location of the dreys and scats mapped by Ecosystem Solutions (2020) correlate with a stand of *Agonis flexuosa* (peppermint) trees (Appendix C and Figure B).

The significant impact guideline for the vulnerable western ringtail possum (*Pseudocheirus occidentalis*) in the southern Swan Coastal Plain, Western Australia (Department of the Environment, Water, Heritage and the Arts 2009a) identifies three important areas for the western ringtail possum:

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⁸ Department of the Environment, Water, Heritage and the Arts. 2009a. Significant impact guideline for the vulnerable western ringtail possum (*Pseudocheirus occidentalis*) in the southern Swan Coastal Plain, Western Australia. Canberra: Australian Capital Territory.

- Core habitat includes vegetation remnants inhabited by local western ringtail possum populations and contain sites necessary for breeding and dispersal (Department of the Environment, Water, Heritage and the Arts 2009b)⁹
- 2. Primary corridors provide connectivity between areas of core habitat and allow populations to remain connected in the landscape (Department of the Environment, Water, Heritage and the Arts 2009b)
- Supporting habitat includes vegetation patches that buffer key local populations from threats, as well as
 providing foraging, breeding and dispersal opportunities (Department of the Environment, Water,
 Heritage and the Arts 2009b)

Informed by the above important area descriptions, and also noting that the Margaret River Senior High School is not situated on the southern Swan Coastal Plain nor would the surrounding vegetation within the school be considered core habitat, the *Agonis flexuosa* (peppermint) trees have the most affinity with the supporting habitat description. In respect to supporting habitat, Department of the Environment, Water, Heritage and the Arts (2009a) identifies that there is a real chance or possibility of a significant impact on the western ringtail possum if the action will result in one or more of the following:

- Clearing in a remnant habitat patch that is greater than 0.5 ha in size
- Clearing of more than 50% of a remnant habitat patch that is between 0.2 and 0.5 ha in size
- Fragmentation of existing habitat linkages.

Given that approximately 0.15 ha (i.e. less than 0.2 ha) of western ringtail possum habitat is proposed to be cleared; and that up to six *Agonis flexuosa* (peppermint) trees as well as 18 other tall trees are proposed to be retained within the proposed works area to maintain any existing habitat linkages, it is not considered likely that the creation of the oval would result in a significant impact to the western ringtail possum. This conclusion is shared by the Ecosystem Solutions (2020) significant impact assessment (Appendix C).

South-western brush-tailed phascogale

Ecosystem Solutions (2020) identifies that the only other conservation significant fauna species with potential to occur within the proposed works area is the south-western brush-tailed phascogale (*Phascogale tapoatafa* subsp. *wambenger*). the south-western brush-tailed phascogale is listed as a specially protected species under the BC Act.

This species occurs at low densities in the northern Jarrah forest and highest densities in the Perup/Kingston area, Collie River valley, and near Margaret River and Busselton (Department of Environment and Conservation (DEC) 2012)¹⁰. South-western brush-tailed phascogales have been observed in dry sclerophyll forests and open woodlands that contain hollow-bearing trees but a sparse ground cover, with records less common from wetter forests (DEC 2012). No south-western brush-tailed phascogale observations were recorded by Ecosystem Solutions (2020).

Within the proposed works area one *Eucalyptus diversicolor* (karri) tree is proposed to be removed which has two hollows. Ecosystem Solutions (2020) states that the hollows in this tree are too narrow (<150 mm) to be used by black cockatoos. However, they could potentially be used for nesting by the south-western brushtailed phascogale.

Given that two *Corymbia calophylla* (marri) trees with suitably sized hollows (<150 mm) to support southwestern brush-tailed phascogale nesting are proposed to be retained within the proposed works area to maintain any existing nesting opportunities, it is not considered likely that the creation of the oval would result in a significant impact to this species.

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⁹ Department of the Environment, Water, Heritage and the Arts. 2009b. Background Paper to EPBC Act Policy Statement 3.10 – Nationally Threatened Species and Ecological Communities, Significant impact guideline for the vulnerable western ringtail possum (Pseudocheirus occidentalis) in the southern Swan Coastal Plain, Western Australia. Canberra: Australian Capital Territory.

¹⁰ Department of Environment and Conservation, 2012, Brush-tailed Phascogale, *Phascogale tapoatafa* (Meyer, 1793) Accessed 23 November 2020 https://library.dbca.wa.gov.au/static/FullTextFiles/071549.pdf

Assessment against the 10 clearing principles

Table 4 below provides an assessment of the proposed clearing activities against the "10 clearing principles" as outlined in Schedule 5 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 to determine whether the proposed clearing is at variance to the principles.

Table 4: Assessment of the proposed clearing against the 10 clearing principles

Principle	Assessment			Outcome
Native vegetation should not be cleared if it comprises a high level of biological diversity	TECs listed under proposed works a proposed works a Threatened flora s under the EPBC A listed Priority spec	the swill require clearing to construct the BC Act or the EPBC Act were recrea. No DBCA listed PECs were recrea. All the vegetation is in Degrade species listed under the BC Act or an act were recorded within the propose bies were recorded within the propose biodiversity values associated with eared is low.	ecorded within the orded within the d or worse condition. No sy species protected works area. No DBCA ed works area.	The proposal is not at variance with the principle
Native vegetation should not be cleared if it comprises the whole or part of, or is necessary for the maintenance of, a	identified within the habitat and up to be cleared. Three dreys were	and breeding habitat suitable for bla e proposed works area. Up to 0.13 h 13 potential black cockatoo breeding recorded within the proposed works	na of potential foraging trees are proposed to area, with scats also	The proposal is unlikely be at variance
significant habitat for fauna indigenous to Western Australia	is used at least to western ringtail po One Eucalyptus di two suitably sized brush-tailed phase The minor extents potential south-we ringtail possum su represent significa	of potential black cockatoo foraging estern brush-tailed phascogale nestin pporting habitat proposed to be clea ent habitat for any of these fauna spe	sum. Up to 0.15 ha of red. be removed which has by the south-western and breeding habitat; ng habitat and western ared is not considered to ecies.	with the principle
Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora	under the EPBC A Ecosystem Solution	. ,	es were recorded by	The proposal is not at variance with the principle
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		der the BC Act or the EPBC Act werea. No DBCA listed PECs were recrea.		The proposal is not at variance with the principle
Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared	Ecosystem Solutic cornuta, *Corymbia Eucalyptus patens woodland over *Control and introduced an Informed by the abremnant of the Coproposed works at The C1 unit consist Corymbia calophyzone (Mattiske and The Cw1 unit consist Corymbia calophyzone)	the proposed works area has been here (2020) broadly described the vega citriodora, Agonis flexuosa, Coryn sopen forest of Agonis flexuosa, Eucirsium vulgare scattered shrubs over nual tussock grassland. To exercise the property of the pr	getation as Eucalyptus abia calophylla, calyptus cornuta low *Cenchrus clandestinus e not considered to be a mapped across the Cw1) units. alyptus marginata, nds in the hyperhumid Eucalyptus diversicolor-	The proposal is not at variance with the principle

¹¹ Mattiske, E.M. and Havel, J.J. 1998. Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment Australia.

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Principle	Assessment	Outcome
Native vegetation should not be cleared if it is growing in or in association with a watercourse or wetland	A natural surface water expression and created dams, which have been mapped by the DBCA as a floodplain, and are associated with an underlying drainage line are situated to the south-east of the proposed works area within Lot 569 (Figure C). No trees growing in association with the mapped floodplain or the underlying drainage line are proposed to be cleared.	The proposal is not at variance with the principle
Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation	Land degradation can be caused or exacerbated by uncontrolled run-off and wind or water erosion. Clearing associated with the proposal has been minimised to reduce potential impacts on land values. The proposed clearing is unlikely to significantly alter the existing surface water flows and erosion patterns within the Margaret River Senior High School.	The proposal is not at variance with the principle
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 majority of Lot 569 Bussell Highway is reserved for Public Purposes-School under the Shire of Augusta-Margaret River's Local Planning Scheme (LPs) No. 1. A minor north-eastern portion of the lot which is reserved for Parks and Recreation has been recently developed as part of the Stage 1 Major Additions for the high school. No DBCA managed lands or waters are located within or proximate to Lot 569.	The proposal is not at variance with the principle
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	A natural surface water expression and created dams, which have been mapped by the DBCA as a floodplain, and are associated with an underlying drainage line are situated to the south-east of the proposed works area within Lot 569 (Figure C). No trees growing in association with the mapped floodplain or the underlying drainage line are proposed to be cleared. Given the minor extent of proposed tree clearing within the Margaret Senior High School, it is not considered likely that the clearing of native trees would result in significant impacts to ecological values of the surface water or underground water sources within and below Lot 569.	The proposal is not at variance with the principle
Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the intensity of flooding	Given the minor extent of proposed tree clearing within the Margaret Senior High School, and its historical and ongoing disturbance as part of the development and operation of the high school, it is not considered likely that the clearing of native trees would cause or exacerbate the intensity of flooding. Existing overland flows within Lot 569 are unlikely to be significantly altered by the clearing of the native trees.	The proposal is not at variance with the principle

Table 4 identifies that the proposed clearing is not at variance with nine of the 10 clearing principles and unlikely to be at variance with the "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" principle.

To address the low likelihood that the south-western brush-tailed phascogale and western ringtail possum are present within the proposed works area immediately prior to the clearing works being implemented the Department of Finance has agreed to the following mitigation measures:

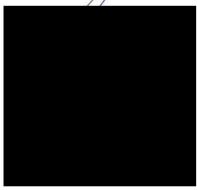
- Inspection of the two hollows in the *Eucalyptus diversicolor* (karri) tree (Tag no. 66; see Appendix B) to be undertaken by a qualified fauna specialist immediately prior (i.e. <48 hours) to the clearing works being undertaken for evidence of recent use or occupation by the south-western brush-tailed phascogale.
 - Should occupation of the hollows by the south-western brush-tailed phascogale be confirmed, the
 tree will only be cleared after a repeat inspection undertaken by a qualified fauna specialist
 confirms that it is no longer occupied by the south-western brush-tailed phascogale.
- Inspection of the three dreys and *Agonis flexuosa* (peppermint) trees will be undertaken by a qualified fauna specialist immediately prior (i.e. <48 hours) to the clearing works being undertaken for evidence of recent use or occupation by the western ringtail possum.
 - Should occupation of the dreys or Agonis flexuosa (peppermint) trees by the western ringtail
 possum be confirmed, the dreys and peppermint trees will only be cleared after a repeat inspection
 undertaken by a qualified fauna specialist confirms that they are no longer occupied by the western
 ringtail possum.

Concluding remarks

Up to 59 native trees are proposed to be cleared to facilitate the creation of an AFL sized oval at the Margaret River Senior High School as part of the staged implementation of the master plan. The clearing of the native trees is considered unlikely to be at variance with any of the 10 clearing principles. The DoE has been consulted and endorsed the proposed clearing of native vegetation within their landholding (Appendix E).

To address the low likelihood that either the south-western brush-tailed phascogale or western ringtail possum is present within the proposed works area immediately prior to the proposed clearing works commencing, the Department of Finance has agreed to undertake pre-clearing inspections for these species with clearing works commencing immediately after these species have been confirmed not to be present.

We trust this information is sufficient for your purposes, however, should you require further details or clarification, please do not hesitate to contact the writer by telephone.



enc: Figures

Appendix A: Application for a clearing permit (purpose permit)
Appendix B: Tree Survey Margaret River Senior High School
Appendix C: Flora and Fauna Significance Assessment

Appendix D: Certificate of Title
Appendix E: Landholder consent

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