



7 December 2020



To Whom it May Concern,

RE – King Street Coastal Parkland Upgrade - 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 Stage 2 of a Coastal Parkland Upgrade located at the termination of King Street in Busselton (herein referred to as the subject site) (refer to **Figure 1** and **2**, and **Appendix A**). The subject site is located in the municipality of the City of Busselton, approximately 1.4 km from the Busselton town centre.

The proposed construction works will require the removal of six mature Peppermint (*Agonis flexuosa*) trees. Three of these trees are in very poor condition with limited regrowth, and the remaining three are deceased (refer to **Plates 1** to **6** for pictures and **Figure 2** for tree locations). The condition of the trees is the direct result of an extreme storm event (which occurred on 25th May 2020), resulting in the foreshore vegetation being severely impacted by the effects of wind and salt scalding.

Limited understorey was observed within the proposed clearing area which consists predominantly of introduced species including:

- *Trachyandra divaricata*;
- *Gazania spp.*
- *Pelargonium capitatum*;
- *Avena spp.*
- *Euphorbia paralias*; and
- *Tetragonia decumbens*.

Native understorey vegetation within the clearing area is limited to a small area (approximately 4 m²) comprised of *Lepidosperma gladiatum* (sword sedge).



Plate 1: Deceased tree to be cleared.



Plate 2: Deceased tree to be cleared.



Plate 3: Tree to be cleared with limited regrowth.

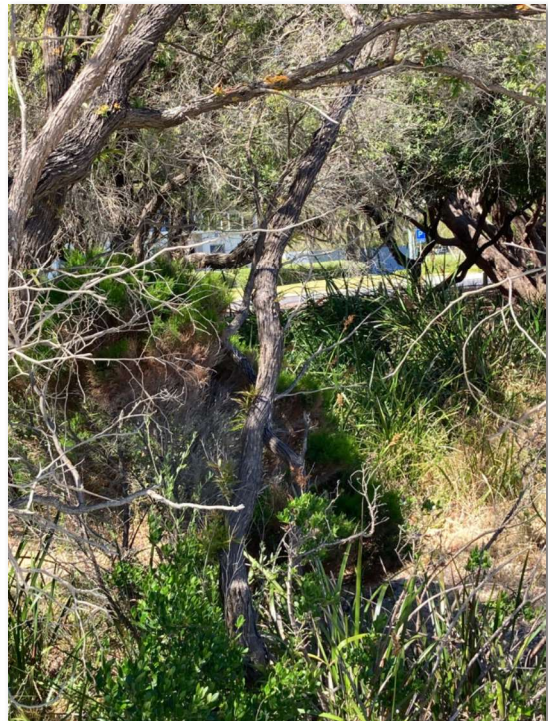


Plate 4: Tree to be cleared with limited regrowth.

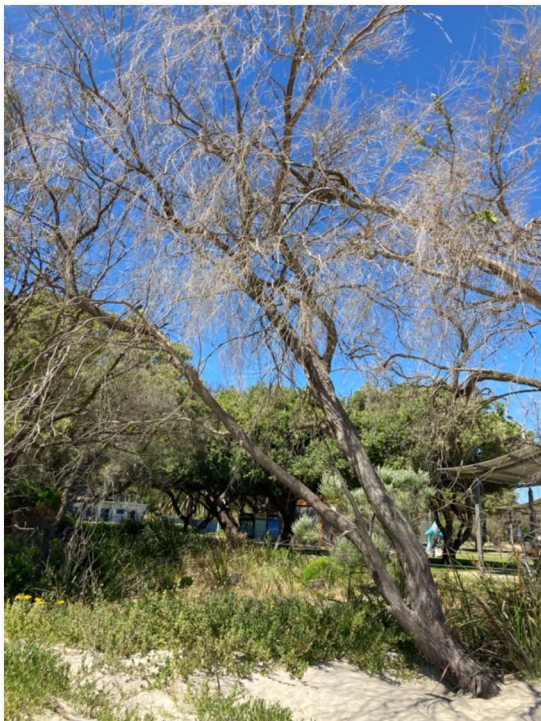


Plate 5: Deceased tree to be cleared.



Plate 6: Tree to be cleared with limited regrowth and small area containing *Lepidosperma gladiatum*.

The proposed clearing area will be redeveloped into Stage 2 of the King Street Coastal Parkland upgrade, undertaken by the City of Busselton to improve the appearance and accessibility of the reserve. The clearing will make way for a turfed area, approximately 141 m² in size. A limestone wall will be constructed to provide erosion control for the parkland area, and approximately 230 m² will be revegetated with native species adjacent to the limestone wall (refer to **Appendix A**).

Minimisation and Mitigation Measures

The Applicant undertook an assessment of the reserve area prior to determining a suitable design for the parkland upgrade. This included a visual assessment of vegetation within the proposed location. Upon completion of this assessment, it was determined that the trees within the clearing area were of a condition that was not sustainable long term and that the removal of these trees for increased public amenity space would not result in a negative environmental impact. The design of the parkland upgrade has been amended to ensure that areas of healthy vegetation located to the south of the reserve, protected from storms and salt scald, have been retained. 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 vegetation within 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 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 upgrading the King Street Coastal Parkland 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 investigations 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>The subject site consists of coastal remnant vegetation with a disturbed understory containing both native and non-endemic species. Mapping (Mattiske and Havel 1998) indicates original vegetation complexes within the subject site would have included vegetation of the Quindalup Complex, a coastal dune complex consisting mainly of two alliances, the strand and fore dune alliance, and the mobile and stable dune alliance. The vegetation within the Quindalup Complex is described as <i>Acacia rostellifera</i> (Summer-scented Wattle) and the low closed <i>Agonis flexuosa</i> (Peppermint) forest of Geographe Bay (Heddle et al., 1980).</p> <p>The subject site is in a Completely Degraded to Degraded (Keighery 1994) condition as it is sparsely vegetated with the understory almost solely comprised of introduced species. As a result of anthropogenic disturbances and recent storm events, significant erosion and damage to the mature Peppermint trees (<i>Agonis flexuosa</i>) was observed during the site visit.</p> <p>The condition of the subject site and history of anthropogenic disturbances denotes that the subject site is unlikely to be representative of any Priority or Threatened Ecological communities (PEC or TECs). There are no mapped occurrences of flora of conservation significance occurring within proximity the subject site. This in combination with vegetation condition denotes that the subject site is unlikely to contain flora species of conservation significance.</p> <p>As discussed under Principle (b), the subject site is not likely to comprise significant habitat for the conservation significant western ringtail possum (WRP) or any conservation significant fauna species.</p> <p>The clearing will result in the removal of six mature Peppermint trees (<i>Agonis flexuosa</i>) either deceased or in very poor condition. The removal of these trees is not considered likely to significantly impact on the biological diversity of the area.</p> | Based on the extent of disturbance within the subject site, the condition of the trees to be removed and the limited clearing footprint, the subject site is not likely to comprise high biodiversity. The proposed clearing is not likely to be at variance with this Principle. |
| b.) Native vegetation should not be cleared if it comprises the whole or part of, or is necessary | A search of the Department of Biodiversity, Conservation and Attractions' (DBCA's) threatened fauna database and the <i>Environment Protection and Biodiversity Conservation</i> | Removal of vegetation within the subject site is not considered to be at variance with this principle as the limited clearing |

| Principle | Assessment | Conclusion |
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| for the maintenance of, a significant habitat for fauna indigenous to Western Australia. | <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"> • <i>Botaurus poiciloptilus</i> (Australasian Bittern); • <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>Dasyurus geoffroyi</i> (Chuditch, Western Quoll); • <i>Limosa lapponica menzbieri</i> (Northern Siberian Bar-tailed Godwit); • <i>Pachyptila turtur subantarctica</i> (Fairy Prion(southern)); • <i>Phascogale tapoatafa subsp. Wambenger</i> (South-western Brush-tailed phascogale); • <i>Pseudocheirus occidentalis</i> (Western Ringtail Possum (WRP)); and • <i>Sternula nereis nereis</i> (Australian Fairy Tern); <p>Many of the fauna species recorded within the local area are migratory shorebird species. Habitat for shorebird species is contained within the subject site (albeit marginal in quality) but is not considered to be significant to these species due to the size and condition of the subject site. In addition, larger areas of suitable shorebird habitat are located within the adjoining crown reserves. Due to the high mobility of the majority of the species occurring within the local area, the small size of the subject site and the vegetation being partly degraded, it is not likely that these species are dependent on the subject site. Therefore, the proposed clearing is not likely to significantly impact their habitat.</p> <p>In the <i>EPBC Act referral guidelines for three threatened black cockatoo species</i> (2012), the Commonwealth Department of Agriculture, Water and the Environment (DAWE) has identified a range of species as potential breeding and foraging habitat for the three threatened species of black cockatoo. Peppermint trees are not identified within this document to provide breeding or foraging habitat for black cockatoo species. Accordingly, no loss of habitat for black cockatoos is expected.</p> | of low quality habitat will not impact the success of any fauna indigenous to Western Australia. |

| Principle | Assessment | Conclusion |
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| | <p>The subject site is mapped as 'Very High' WRP habitat based on <i>An assessment of habitat for western ringtail possum (Pseudocheirus occidentalis) on the southern Swan Coastal Plain</i> (Shedley et.al. 2014). However, three trees that are subject to clearing are deceased and the remaining three show limited regrowth, being largely devoid of any green leaves. Accordingly, the trees subject to clearing do not currently provide any habitat for WRPs. They are not capable of supporting dreys or providing a food resource for the species, therefore the clearing will not result in the loss of significant habitat for WRPs. Furthermore, there is approximately 7.8 hectares of 'Very High' quality habitat mapped within a 1km radius of the clearing area.</p> <p>The DBCA <i>Chuditch Dasyurus Geoffroi Fauna Profile</i> (2017) identifies Chuditch habitat as Jarrah (<i>Eucalyptus marginata</i>) forests and woodlands, mallee shrublands and heathlands. As this habitat is not present within the subject site, the clearing will not result in the loss of significant habitat for Chuditch.</p> <p>The DBCA Brush-tailed Phascogale <i>Phascogale tapoatafa</i> Fauna Profile (2012) identified dry sclerophyll forests and open woodlands that contain hollow-bearing trees as the habitat preferred by Brush-tailed phascogales in southwest Western Australia. As this habitat is not present within the subject site, the project is unlikely to result in the loss of significant habitat for Brush-tailed phascogales.</p> <p>Given vegetation within the subject site is degraded with limited understorey and devoid of healthy mature native species, 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>A 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"> • <i>Acacia flagelliformis</i>; • <i>Amperea micrantha</i>; • <i>Banksia nivea</i> subsp. <i>Uliginosa</i>; • <i>Caladenia huegelii</i> (Grand Spider Orchid); | Removal of the vegetation within the subject site is not considered to be at variance with this principle as native vegetation has previously been impacted by erosion and anthropogenic activities. |

| Principle | Assessment | Conclusion |
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| | <ul style="list-style-type: none"> • <i>Caladenia procera</i>; • <i>Chamelaucium</i> sp. <i>S coastal plain</i>; • <i>Chamelaucium</i> sp. <i>Yoongarillup</i>; • <i>Diuris micrantha</i>; • <i>Franklandia triaristata</i> (Lanoline Bush); • <i>Grevillea brachystylis</i> subsp. <i>Brachystylis</i>; • <i>Grevillea bronwenae</i>; • <i>Grevillea elongata</i>; • <i>Gastrolobium</i> sp. <i>Yoongarillup</i>; • <i>Hakea oldfieldii</i>; • <i>Isopogon formosus</i> subsp. <i>Dasylepis</i>; • <i>Johnsonia inconspicua</i>; • <i>Lambertia echinata</i> subsp. <i>Occidentalis</i>; • <i>Lambertia orbifolia</i> subsp. <i>Scott River Plains</i>; • <i>Lasiopetalum laxiflorum</i>; • <i>Loxocarya magna</i>; • <i>Ornduffia submerse</i>; • <i>Puccinellia vassica</i>; • <i>Pultanaea pinifolia</i>; • <i>Synaphea hians</i>; • <i>Synaphea petiolaris</i> subsp. <i>Simplex</i>; • <i>Thysanotus glaucus</i>; • <i>Verticordia densiflora</i> var. <i>pedunculata</i>; • <i>Verticordia plumosa</i> var. <i>vassensis</i>. <p>According to available databases, none of the abovementioned species occur within the subject site. Furthermore, they are not considered likely to occur within the subject site as it does not appear to contain the structure or diversity consistent with recordings of these conservation significant species.</p> | |

| Principle | Assessment | Conclusion |
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| | Given the degraded condition of the subject site and ongoing erosion and 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. | |
| 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 Threatened Ecological Community (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 Priority Ecological Community (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 <i>Environment Protection and Biodiversity Conservation Act</i> (1999). 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 two TEC endorsed under State and Commonwealth legislation which may occur within proximity to the subject site. This included the Banksia Dominated Woodlands of the Swan Coastal Plain IBRA Region ecological community and the Tuart (<i>Eucalyptus gomphocephala</i>) Woodlands and Forests of the Swan Coastal Plain ecological community.</p> <p>The clearing area does not contain the floristic composition or structure consistent with the identified TECs, 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> | Clearing of the subject site is not considered to be at variance to this principle as vegetation consistent with the mapped TECs is not present within the subject site. |
| 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. | 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 Quindalup complex. The clearing area does not contain the floristic composition or structure consistent with this vegetation complex. Accordingly, the | 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. |

| Principle | Assessment | Conclusion |
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| | <p>clearing of six trees in a degraded area will not impact the extent of the Quindalup 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. The proposed clearing is not at with this variance to this Principle.</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>According to the DBCA's <i>Geographic Wetlands of the Swan Coastal Plain</i> database the closest mapped wetland is a Multiple Use wetland (UFI number) located approximately 700m to the south of the subject site. A Ramsar classified wetland is located approximately 2.6 km from the subject site. There are no other watercourses or wetlands located within or in proximity to the subject site.</p> <p>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> | 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. |
| g.) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation. | <p>The subject site is located within the Quindalup South soil landscape system within the Perth Coast landscape Zone consisting of coastal dunes with calcareous deep sands and yellow sands. The proposed clearing area consists of relict foredunes and gently undulating beach ridge plains with deep uniform calcareous sands of the Quindalup South Qf2 Phase. 30 to 50% of this soil type has a high to extreme wind erosion hazard. However, the project works will involve the immediate stabilisation of the area via the installation of turf, retaining walls and revegetation, as shown in Appendix A. On this basis and in consideration of the limited size of the clearing footprint, the 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 with this Principle.</p> | Clearing of the subject site is not considered to be at variance with this principle given the nature of the site and the proposed works. |
| h.) Native vegetation should not be cleared if the clearing of the | The subject site is located within a crown reserve which runs from the subject site east along the Busselton foreshore. A crown reserve is also located directly to the west of the | The proposed clearing is not considered to be at variance with this principle as there |

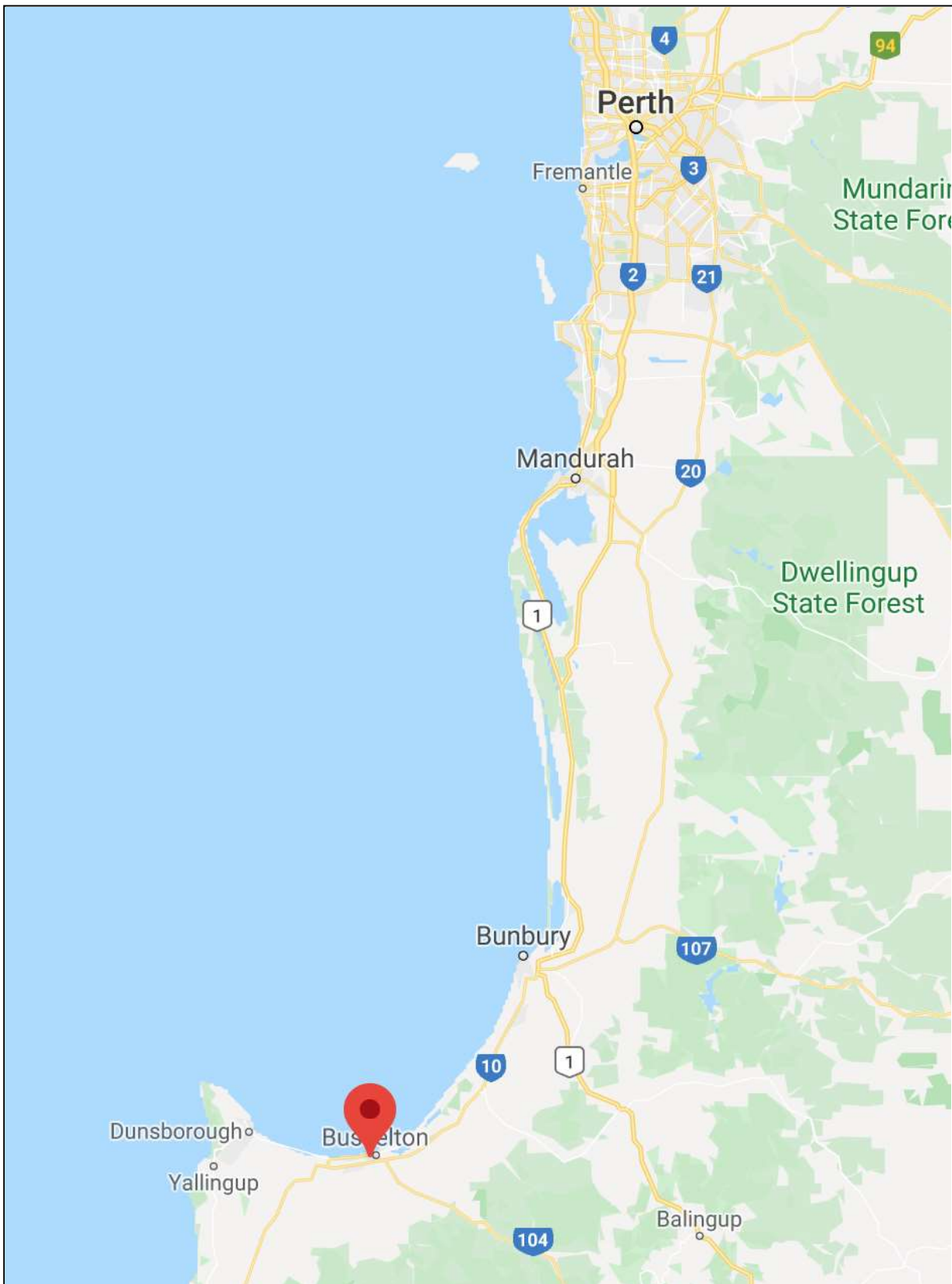
| Principle | Assessment | Conclusion |
|--|---|---|
| vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area. | <p>subject site but there is no direct connectivity to this vegetation with the presence of Stage 1. A defined boundary via the installation of a limestone wall will be established between the remnant vegetation and recreational area within the crown reserve. Furthermore, revegetation will be undertaken within the vegetated portion of the crown reserve to enhance vegetation condition.</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 linkage and the clearing will not result in fragmentation between adjacent reserves.</p> <p>In consideration of the above, the clearing is unlikely to be at variance to this principle.</p> | 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. | <p>Clearing within the subject site will not impact surface water run-off given the small clearing footprint, proximity to the ocean and the short-term nature of the project.</p> <p>Alterations to surface water from the clearing will be extremely localized and will likely result in surface water runoff traversing in the same directions as prior to the project, directly to the ocean. The project will not result in any groundwater interactions.</p> <p>The proposed clearing is not likely to be at variance with this principle.</p> | The clearing is not considered to be at variance with this proposal as it is unlikely that the clearing will alter natural surface or groundwater interactions within the subject site. |
| j.) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding. | <p>The subject site does not occur in close proximity to a watercourse. The limited clearing and beachside location along with the revegetation of the site 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 with this principle.</p> | Clearing within the subject site is not considered to be at variance with this principle as it is unlikely to increase run off and therefore intensity or incidence of flooding. |

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 any offsets.



FIGURES



PROJECT King Street, Busselton

DRAWING TITLE Figure 1 – Site Locality

CLIENT City of Busselton



Project Number
2055

Designed PN
Drawn PN

Date
Local Authority
Sheet 1 of 1

Drawing Number
Figure 1

Checked
Approved

16/12/2020
City of Busselton

Revision
A



PROJECT King Street, Busselton
DRAWING TITLE Figure 2 - Site Extent
CLIENT City of Busselton

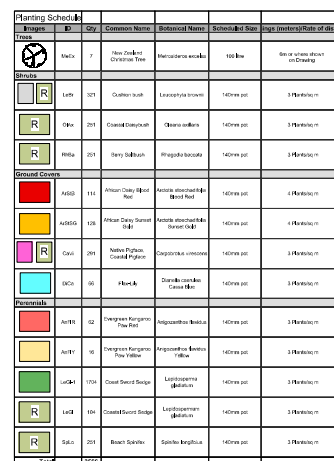


Project Number 2055
Drawing Number Figure 2
Revision A
Date 16/12/2020
Sheet 1 of 1

| | |
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| Designed | PN |
| Drawn | PN |
| Checked | |
| Approved | |
| Local Authority | City of Busselton |

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APPENDICES



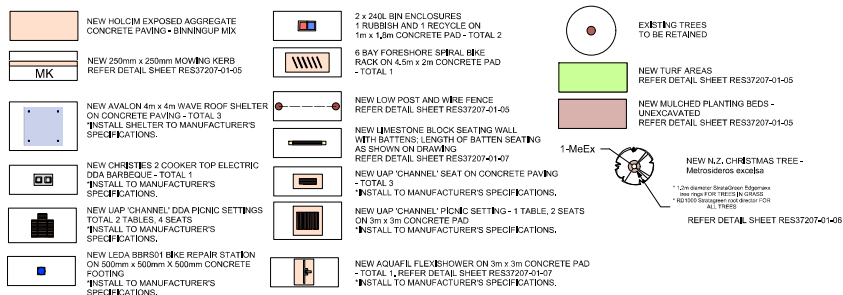
NOTE


* LANDSCAPE DRAWINGS TO BE READ IN CONJUNCTION WITH LANDSCAPE SPECIFICATION

*ALL NEW PLANTING AREAS AND TURFED AREAS ARE TO BE ON
RETICULATION. REFER IRRIGATION DESIGN DRAWINGS

*FOR NEW TREE PLANTING IN PLANTING BEDS
AND TURF AREAS - REFER DETAIL SHEET RES37207-01-06

*ALL PAVING, MOWING KERB AND CONCRETE PADS TO BE
HOLCIM EXPOSED AGGREGATE CONCRETE PAVING -
BINNINGUP MIX



| | | | | | | | | | | | | | | | | | |
|------|--|---------|--|--|--|-----|------|--|-------------|------|-----------|----------|---|---|-------|---------------------------|--|
| G | | 3-14-20 | | ISSUE FOR COMMENT - RESERVE TREE REMOVAL | | DT | AT | <div>NOTE: DRAWING TO BE READ IN CONJUNCTION WITH LANDSCAPE SPECIFICATION DOCUMENT</div> | NORTH POINT | | DRAWN | APPROVED | <div> City of Busselton Coastal City</div> | KING STREET COASTAL NODE UPGRADE | | ORIGINAL SHEET SIZE | |
| F | | 12-2-20 | | RELOC. SHELTER AND LIGHTPOLE RELOCATED | | DT | AT | | | | | | | SCALE: 1:200 CODED: C1780 C1922 | | | |
| E | | 15-2-20 | | ASILUTION BLOCK RELOCATED, PAVING AND LANDSCAPE ADJUSTED | | DT | AT | | | | | | | | | | |
| D | | 25-5-20 | | INTRUSION BARRIER FOR COASTAL DEFENCE PURPOSES | | DT | AT | | | | | | | | | | |
| C | | 8-4-20 | | NEW WELTON BLOCK LOCATED AND SURROUNDING MINOR TO SUIT | | DT | AT | | | | | | | | | | |
| B | | 12-2-20 | | ISSUE FOR TENDER | | DT | AT | | | | | | | | | | |
| A | | 30-2-20 | | ISSUE FOR COMMENT | | DT | AT | | | | | | | | | | |
| REV. | | | | AMENDMENT | | DSN | CHKD | APPRO | REV. | DATE | AMENDMENT | | DSN | CHKD | APPRO | RES37207-01-04 REV. G | |