



22 March 2022

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

RE – Metricup Road/Puzey Road/Harmans Mill Road Intersection, Metricup - Clearing Referral Application

Please find herein information pertaining to a clearing referral application on behalf of City of Busselton (the applicant) for roadside vegetation at the Metricup Road/Puzey Road/Harmans Mill Road intersection in Metricup (herein referred to as the subject site) (refer to **Figure 1** and **Figure 2**).

Background

The applicant is proposing to undertake road upgrades works as a component of a blackspot project. The project is planned for physical construction as a component of the 2022/23 budget. The concept design sees the increase in sightlines as far as practicable along the through road (Metricup Road) and the installation of traffic islands in the terminating road legs. The sightline increase is to provide greater distance to the stationary and approaching traffic to identify and react to traffic, reducing the likelihood or severity of crashes.

The works will entail clearing of seven native trees. Accordingly, to enable the progression of the project, a clearing referral pursuant to the *Environmental Protection Act 1987* is required. A description and photograph of the trees subject to clearing to enable progression of the blackspot project is provided below in **Plates 1 – 5**.



Plate 1. Tree 1 - A single juvenile *Corymbia calophylla* tree. The tree does not constitute breeding habitat for the three threatened species of black cockatoos, and provides very limited foraging habitat.



Plate 2. Tree 2 - A single *Corymbia calophylla* tree. This tree does not constitute black cockatoo breeding habitat. Furthermore, the tree does not contain any hollows.



Plate 3. Trees 3 and 4 - Two juvenile *Corymbia calophylla* trees. The trees do not provide black cockatoo habitat in consideration of their limited size and absence of hollows.



Plate 4. Tree 5 - A juvenile *Corymbia calophylla* tree. The tree does not provide black cockatoo habitat in consideration of its limited size and the absence of hollows.



Plate 5. Tree 6 and 7 - Two *Agonis flexuosa* trees. These trees are very unlikely to provide habitat to any threatened fauna species given its roadside location and the absence of native vegetation in proximity to the tree.

Avoidance and Mitigation Measures

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

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 seven trees will be clearly demarcated with flagging tape;

- No vehicular access or parking within vegetated areas in the reserve; and
- No stockpiling of cleared vegetation or storage of equipment within the reserve.

Impact Assessment

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

The clearing of native vegetation for the purpose of the road upgrades works is subject to a clearing referral. 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>The subject site consists of previously cleared land within the road reserve and sporadic native vegetation regrowth. Mapping (Mattiske and Havel 1998) indicates original vegetation complexes within the subject site would have included:</p> <p>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</p> <p>The subject site is in a completely degraded condition (Keighery 1994) as result of the previous clearing. 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). It is not known to contain any 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, seven native trees. 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 for the maintenance of, a significant habitat for fauna</p>	<p>A search of the Department of Biodiversity, Conservation and Attraction’s (DBCA’s) threatened fauna database and the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) protected matters database indicates the following fauna is likely to be present within a 1 km radius of the subject site:</p> <ul style="list-style-type: none"> • <i>Calyptorhynchus baudinii</i> (Baudin’s Cockatoo); • <i>Calyptorhynchus latirostris</i> (Carnaby’s Cockatoo); 	<p>Removal of vegetation within the subject site is not considered to be at variance to this Principle.</p>

Principle	Assessment	Conclusion
<p>indigenous to Western Australia.</p>	<ul style="list-style-type: none"> • <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>Isoodon fusciventer</i> (Quenda, southwestern brown bandicoot); • <i>Phascogale tapoatafa subsp. wambenger</i> (South-western Brush-tailed Phascogale); and • <i>Pseudocheirus occidentalis</i> (Western Ringtail Possum (WRP)). <p>Migratory and wetland fauna have not been included in this list as the required habitat is not present within the subject site and therefore the proposed clearing is unlikely to impact these species.</p> <p>In the EPBC Act referral guidelines for three threatened black cockatoo species (2012), the Commonwealth DAWE identify flora species as potential breeding and foraging habitat for the three threatened species of black cockatoo. The proposed works will result in the removal of <i>Corymbia calophylla</i> trees which do not meet the criteria for black cockatoo habitat (DBH in excess of 50cm), or contain any hollows. Accordingly, the subject site is very unlikely to provide habitat critical to the survival of black cockatoos.</p> <p>The project will require the removal of two small <i>Agonis flexuosa</i> trees. Given that these tree are isolated and located in an extensively cleared landscape, the removal of these tree is very unlikely to impact habitat critical to the survival of WRPs.</p> <p>The highly disturbed environment of the subject site and very small clearing footprint is unlikely to present a significant impact to any fauna species of conservation significance.</p> <p>Given vegetation within the subject site is degraded and is limited in area, the subject site is not considered to provide significant habitat for conservation significant fauna recorded within the local area.</p>	
<p>c.) Native vegetation should not be cleared if it includes, or is</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 10 km radius of the subject site:</p>	<p>Removal of the vegetation within the subject site is not considered to be at</p>

Principle	Assessment	Conclusion
<p>necessary for the continued existence of, rare flora.</p>	<ul style="list-style-type: none"> • <i>Caladenia busselliana</i>; • <i>Caladenia caesarea subsp. maritima</i>; • <i>Caladenia huegelii</i>; • <i>Caladenia viridescens</i>; • <i>Drakaea elastica</i>; • <i>Drakaea micrantha</i>; and • <i>Eucalyptus x phylacis</i>. <p>Given that clearing will be limited to a specific number of trees to improve sightlines, if present (albeit considered unlikely), it is highly unlikely that any flora of conservation significance will be impacted. On this basis, the proposed clearing is not at variance to this Principle.</p>	<p>variance with this Principle as vegetation impacts as limited to the seven trees.</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 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. 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>Clearing of the subject site 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>

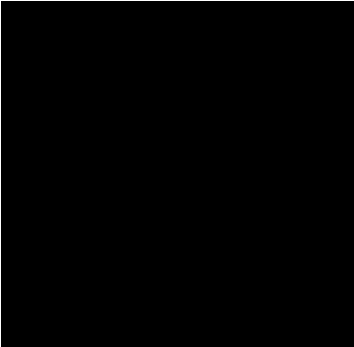
Principle	Assessment	Conclusion
<p>e.) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.</p>	<p>Vegetation within the area has either previously been cleared or is well represented. Furthermore, the subject site 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>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>
<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>No wetlands or watercourses are mapped within the disturbance footprint. 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 Wilyabrup gentle slope Phase is typically associated with a low risk of wind and water erosion. Furthermore, given the limited amount of vegetation subject to clearing it is very unlikely to cause appreciable land degradation in the form of wind or water erosion.</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.</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>Alterations to surface water from the clearing will be extremely localized and will likely be diverted through the existing road stormwater system. The project will not result in any groundwater interactions.</p>	<p>The clearing is not considered to be at variance to this Principle as it is unlikely that the clearing will alter natural surface water flows or involve groundwater interactions.</p>

Principle	Assessment	Conclusion
	The proposed clearing is not likely to be at variance to this Principle.	
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 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.</p> <p>The proposed clearing is not likely to be at variance to this Principle.</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.

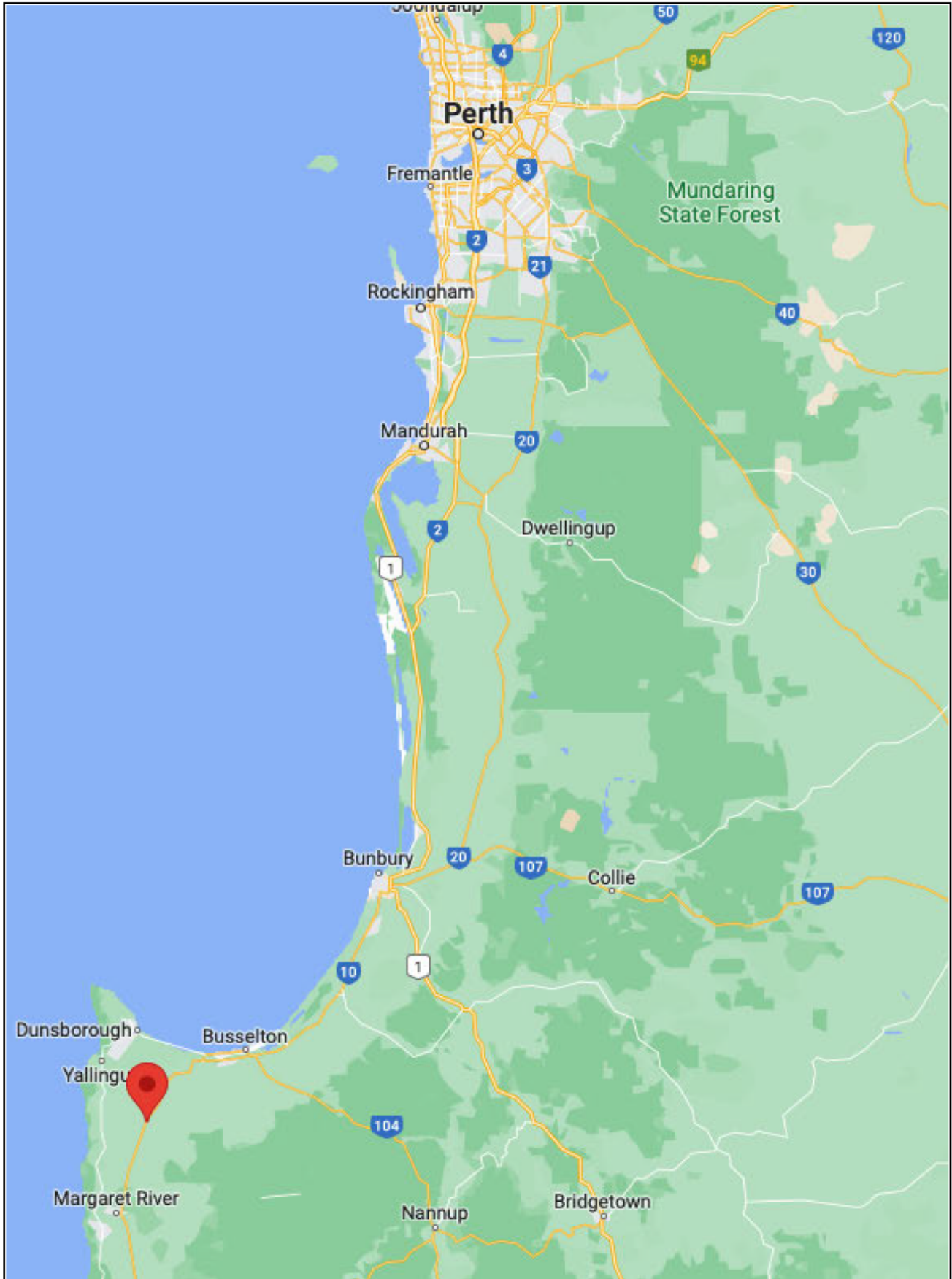
Summary

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 and the very small disturbance footprint, 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.



FIGURES



PROJECT Metricup Road
 DRAWING TITLE Figure 1 – Site Locality
 CLIENT City of Busselton

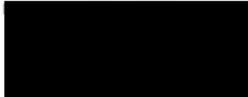


Project Number 2225
 Drawing Number Figure 1
 Revision A
 Designed PN
 Drawn PN
 Checked Approved
 Date 22/03/2022
 Local Authority City of Busselton
 Sheet 1 of 1

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PROJECT Metricup Road
 DRAWING TITLE Figure 2 - Site Extent
 CLIENT City of Busse ton



Project Number 2227
 Drawing Number Figure 2
 Revision A
 Date 22/03/2022
 Sheet 1 of 1

Designed PN
 Drawn PN
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