

12 April 2022

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

**RE – 25 Freycinet Drive, Geographe - Clearing Referral Application**

Please find herein information pertaining to a clearing referral application on behalf of City of Busselton (the applicant) for two dead trees within 25 Freycinet Drive (Lot 5119 on Plan 21948), Geographe (herein referred to as the subject site) (refer to **Figure 1** and **Figure 2**).

**Background**

The City of Busselton are proposing to remove two deceased *Agonis flexuosa* trees from the subject site to prevent the spread of borers to healthy vegetation. The subject site is located within a Reserve for Recreation (Reserve No. 45462) in the municipality of the City of Busselton, approximately 4 km from the Busselton town centre.

To enable the progression of the project, a clearing referral application pursuant to the *Environmental Protection Act 1987* is required. A description and photograph of the trees subject to clearing to enable progression of the project is provided below in **Plates 1 – 2**.



**Plate 1. Tree 1 - A diseased, mature *Agonis flexuosa* tree which is dying from borer infestation.**



**Plate 2. Tree 2 - A dead mature *Agonis flexuosa* tree.**

### Minimisation and Mitigation Measures

The applicant has undertaken an assessment of tree health within the subject site. It has been determined that the abovementioned trees require removal in order to prevent the spread of borers. The trees are either deceased or dying. All other healthy vegetation within the subject site will be maintained. It is considered that no other reasonable and practicable avoidance measures can be implemented.

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 trees will be clearly demarcated with flagging tape to avoid accidental clearing; and
- No stockpiling of cleared vegetation or storage of equipment within the subject site.

### Impact Assessment

Any clearing of native vegetation requires a permit or approval subject to a referral application 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 removing diseased trees will require DWER approval. 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 the Quindalup complex.</p> <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 complex 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 western ringtail possum, or any conservation significant fauna species.</p> <p>The clearing will result in the removal of two diseased trees which do not provide any biological values. 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 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"> <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> </ul>	<p>Removal of vegetation within the subject site is not considered to be at variance to this principle as the trees do not provide suitable habitat for any fauna indigenous to Western Australia.</p>

Principle	Assessment	Conclusion
	<ul style="list-style-type: none"> <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>The highly urbanized environment of the subject site and absence of suitable habitat denotes that the removal of two diseased native tree species is unlikely to present a significant impact to any fauna species of conservation significance. In their current condition, the two trees do not provide suitable habitat for WRPs.</p> <p>Given vegetation within the subject site is completely degraded, 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>



Principle	Assessment	Conclusion
<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 ‘Tuart 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>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>
<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</p>	<p>No wetlands or watercourses are mapped within the subject site. 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 or</p>

Principle	Assessment	Conclusion
environment associated with a watercourse or wetland.		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 sandy soils present within the subject site can be prone to wind and water erosion. However, given the project only entails the removal of two trees, 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 to this principle.</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.
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>The proposed clearing will not result in any impacts to the environmental values of any adjacent or nearby conservation areas.</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 reserves.</p> <p>In consideration of the above, the clearing is unlikely to be at variance to this principle.</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.
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 limited 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 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>	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.
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 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 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.

Yours sincerely,



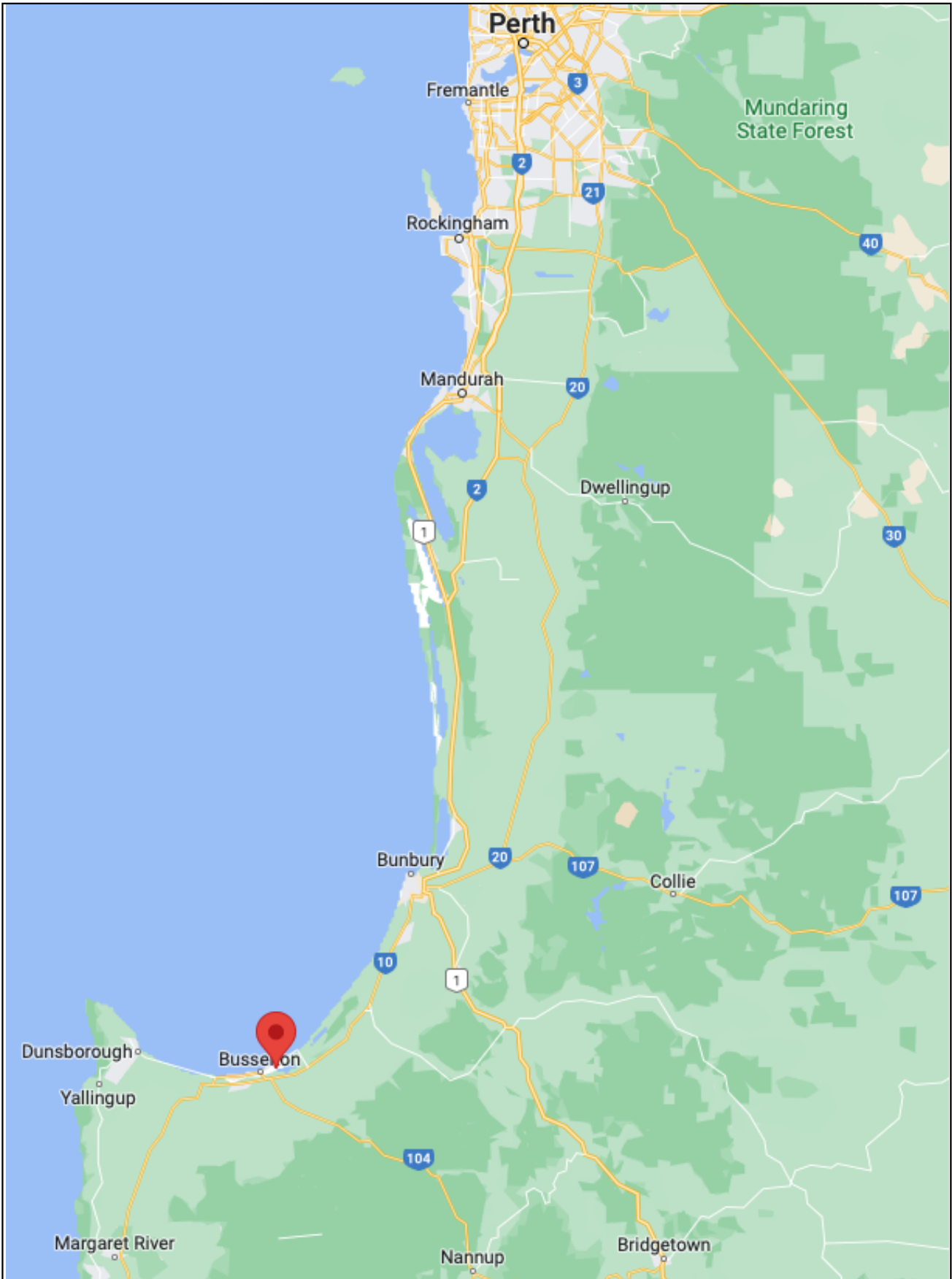
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# FIGURES



PROJECT 25 Freycinet Drive, Geographe

Project Number 2237  
 Drawing Number Figure 1  
 Revision A

DRAWING TITLE Figure 1 – Site Locality

Designed KMT  
 Drawn PN  
 Checked Approved

CLIENT City of Busselton



Date 12/04/2022  
 Local Authority City of Busselton  
 Sheet 1 of 1

PO Box 5178  
 West Busselton  
 Western Australia 6280  
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PROJECT 25 Freycinet Drive, Georgraphe

DRAWING TITLE Figure 2 - Site Extent

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

2237  
Figure 2  
A  
12/04/2022

Designed  
Drawn  
Checked  
Approved  
Local Authority

KMT  
PN  
City of Busselton

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