

Department of Water and Environmental Regulation
Department of Mines, Industry Regulation and Safety

# Application for new permit or referral to clear native vegetation

This is the form to submit a referral of proposed clearing or apply for a clearing permit under Part V of the *Environmental Protection Act 1986* (EP Act).

Before you submit this form, please check you have completed all the fields for the form type and fully prepared any required supporting documents (including maps etc.). We will return / decline any forms that are not correctly completed.

To find out more about the stages of assessment for clearing permit forms, see the *Procedure: Native vegetation clearing permits*.

# Part 1 - Form type

Select your <u>form type</u> .	☐ Referral of proposed clearing (section 51DA of the EP Act)
NOTE: Where appropriate in this form, and unless stated otherwise, the terms 'application' and 'applicant' also mean 'referral' and 'referrer' respectively.	<ul> <li>□ Application for an area permit (section 51E of the EP Act)</li> <li>☑ Application for a purpose permit (section 51E of the EP Act)</li> </ul>

# Part 2 - Applicant details

#### 2.1 Applicant name

For area	□ Applying as an individual – complete the following:			
permits:  If granted, the name(s) of (all)	Title	□ Mr □ Mrs □ Ms □ Other:		
landowner(s) will be listed as	Name(s)			
'permit holders' on the permit.	☐ Applying as a following:	a body corporate or other entity formed at law – complete the		
For purpose permits:	Name			
If granted, the name(s) of (all)	Australian Company Number (ACN)			
applicant(s) will go on the permit.	☑ Applying as a government entity (e.g. government department, local government authority, or other statutory body)			
politic.	Name	Shire of Augusta Margaret River		

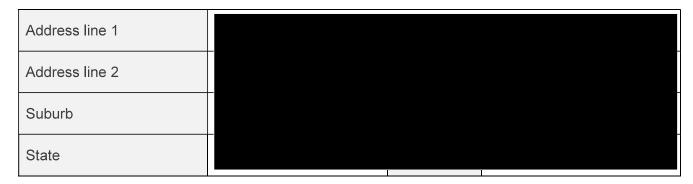
# 2.2 Applicant contact details

Provide the contact details for the above (primary contact).

Title	
First name	
Last name	
Position	
Company name	
Contact phone number (1)	
Email address	

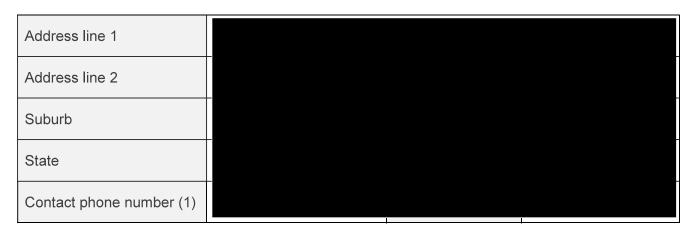
# 2.2 Applicant contact postal details

Provide the postal address for the above individual, body corporate or local government authority (primary contact).



# 2.3 Applicant contact – registered business address

If applying as a company, incorporated body, local government authority or public authority, please also supply the registered business office address.



#### 2.4 Electronic correspondence consent

Both the Department of Water and Environmental Regulation (DWER) and Department of Mines, Industry Regulation and Safety (DMIRS) prefer to send all correspondence via email. We request that you consent to receiving all correspondence relating to instruments and notices under Part V of the EP Act via email. Please indicate your consent in this section of the form.

I consent that all written correspondence between myself (the applicant) and DWER/DMIRS (as applicable) about the subject of this form will be exclusively via email, using the email address provided above.	⊠ Yes	□ No
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#### 2.5 Contact details for enquiries

If different from the applicant's contact details, enter the contact details of a person with whom DWER or DMIRS should liaise with (e.g. a consultant).

Same as applicant's contact details	□ Yes	⊠ No
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# If 'No' – complete the following:

Contact name	
Position (if applicable)	
Company name (if applicable)	
Contact phone number (1)	
Business or postal address line 1	
Business or postal address line 2	
Suburb	
State	
Email address	

# Part 3 – Land details

- You must accurately describe the location of the land where your clearing is proposed.
- If you have a large number of properties, please provide the relevant details for each property in a separately attached supporting document.

# 3.1 Property details

I have a large number of properties and have given the relevant details in an attached supporting document.	☐ Yes – skip to Part 4	⊠ No
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### If 'No' - complete the following:

ii No – complete the following.			
<ul> <li>Land description</li> <li>Provide the following details, as applicable, for all properties:</li> <li>volume and folio number</li> <li>lot or location number(s)</li> <li>crown lease or reserve number</li> <li>pastoral lease number</li> <li>mining tenement number</li> </ul>	Glenarty Road, Karridale (SLK 4.16 to 4.66)		
Street address – Line 1	Glenarty Road		
Street address – Line 2			
Suburb	Karridale		
State	WA	Postcode	6288
Local government area(s)	Shire of Augusta Margaret River		
Land zoning	Road Reserve		

# Part 4 – Relationship to landowner

Tell us which of the following options best describes you as the person completing and submitting this form. If you are filling out this form on behalf of the applicant, answer this question as though you are the applicant.

# <u>Proof of ownership</u> may include:

- a certificate of title (that is less than 6 months old)
- a pastoral or mining lease
- public authority that has care, control or management of the land
- other form of lease, land tenure or specific arrangement.

Relationship to landowner (select one of the following options)	Complete the following
⊠ I am the landowner	⊠ Attach <u>proof of ownership</u>
☐ I am lodging a form on behalf of the landowner (e.g. a consultant)	☐ Attach proof of ownership
☐ I am acting on the landowner's behalf and will be jointly responsible for the clearing permit (i.e. joint form)	☐ Attach <u>proof of ownership</u> ☐ Complete and attach an ' <u>Acting on behalf and jointly responsible</u> ' letter
☐ I am likely to become the landowner	☐ Attach the Certificate of Title ☐ Attach evidence of the pending transfer of ownership and/or contract of sale ('offer and acceptance')
☐ I will undertake the clearing activities with the landowner's authority and will be the permit holder	<ul> <li>□ Attach <u>proof of ownership</u></li> <li>□ Complete and attach an '<u>Authority to access and clear</u> <u>native vegetation</u>' letter (if the applicant is not the landowner)</li> </ul>
☐ A person with multiple land parcels	☐ Attach <u>proof of ownership</u> ☐ Complete and attach ' <u>Authority to access and clear native</u> <u>vegetation</u> ' letter (if the applicant is not the landowner)

# Part 5 – Proposed clearing

#### 5.1 Maps and/or spatial data

Select which map type(s) you will attach with your form.

Note: We will decline / return forms (as applicable) if you do not provide sufficient information for this question.

- Geometry type: polygon shape
- Coordinate system: Geocentric Datum of Australia (GDA) 1994/2020 (geographic latitude / longitude)
- Datum: GDA 1994 / GDA 2020 (please specify which was provided)

⊠ An aerial photograph or map with a north arrow, clearly marking the proposed clearing area

#### Note:

- An ESRI shapefile must use one of the following filename extensions: .shp, .shx, .dbf, and/or .prj
- You must provide an ESRI shapefile if the form requires an assessment under an Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) accredited process. See Part 8 of this form for more information.

#### 5.2 Size

- If you propose to clear a patch(s) of vegetation, enter a hectare value for the total size of the area (mark number of trees as zero).
- If you propose to remove only individual trees from the area(s) (i.e. the shrubs, grasses, groundcover plants will remain intact), provide the number of trees (and mark total area as estimated hectares).
  - Note: If any shrubs, grasses, and/or groundcover plants MAY be damaged in the clearing process, add this to the total area.
- If you propose to clear an area of vegetation within a larger footprint, enter the hectare value for the total size of the area to be cleared (mark number of trees as zero) and the size of the footprint. For example, 5 hectares of clearing within a 10 hectare footprint. This option is only available for <u>purpose permit</u> applications.
- Enter values for BOTH number of trees and the size of the area if you are clearing individual trees in one area AND a patch of vegetation in a different area.
- Please note the following area conversions/calculations:

1 hectare =  $10,000 \text{ m}^2$  Area of circle = 3.14 x radius<sup>2</sup> 1 acre = 0.4 hectares /  $4,000 \text{ m}^2$  Area of a rectangle = length x width 1 tree = 0.01 hectares /  $100 \text{ m}^2$  Area of a triangle =  $\frac{1}{2}$  length x perpendicular height

Total area of clearing proposed (hectares)	
Footprint of clearing (hectares) (purpose permit only)	0.087 ha
Number of individual trees to be removed	8

Note: Calculate the area of a tree based on the area encompassed by the tree's drip line; that being the outermost circumference of the tree's canopy.

#### 5.3 Purpose

Provide the reason for proposed clearing (e.g. road construction, grazing and pasture, hazard reduction, horticulture, timber harvesting etc.)	Road widening and reconstruction to improve road visibility and safety
Specify what the final land use will be after clearing	Road

#### 5.4 Method

Proposed method of clearing (i.e. burning, cutting, draining, flooding, grazing, mechanical clearing/bulldozing or other – specify)	Mechanical clearing
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#### 5.5 Timeframe

Period within which you propose to do the clearing (e.g. 1/7/2022 to 30/8/2024)	Start date: 1 September 2023	
	End date: 30 June 2024	

Note: The clearing referral process is not suitable for any clearing that is expected to take longer than two years.

#### 5.6 Avoidance and mitigation

Explain how you have, or will, put avoidance and mitigation measures in place to eliminate, reduce, or otherwise mitigate the need for and scale of the proposed clearing of native vegetation.

Attach supporting documents to substantiate your explanation.

Your explanation should demonstrate you have planned the project so that the least clearing possible is to be undertaken. The following questions may help you frame your explanation:

- Why did you select this location and amount of clearing?
- What alternatives to clearing e.g. engineering solutions did you consider?
- What changes, if any, did you make to the location or amount of clearing to reduce the impacts of the clearing?

Note: If you do not demonstrate adequate efforts to avoid and mitigate clearing, we will ask you to do so during the validation of this form.

Provide the		
avoidance and		
mitigation		
details		

#### BACKGROUND

It is proposed to reconstruct a section of Glenarty Road in the Shire of Augusta Margaret River, as shown in the accompanying maps, resulting in the clearing of up to 0.087 ha of native vegetation. The road is currently failing with deformations causing safety hazards, and the width of the sealed road around the bend is insufficient given the volumes of general and heavy traffic. It is proposed to reconstruct and widen the sealed road to 6.5 metres, with 1 metre unsealed edges on either side, and associated drainage works.

# **DESCRIPTION OF BIODIVERSITY VALUES**Flora and Vegetation

A flora and vegetation assessment was undertaken by the Acting Coordinator

Environment and Landcare Services and qualified botanist, based on a site visit and inspection in September 2022 (report included at Attachment 1). The assessment is based on a reconnaissance-level survey, which was considered appropriate according to the scale of impact.

It was found that the vegetation in and surrounding clearing area is predominately in degraded to completely degraded condition. Surrounding agricultural and agroforestry land use has contributed to the introduction of weeds, with the following introduced species being present:

- Ehrharta longifolia,
- Oxalis incarnata
- Fressia alba x leichtlinii
- Hypochaeris glabra,
- Gladiolus sp.
- Asparagus asparagoides
- Briza maxima
- Juncus microcephalus
- Cenchrus clandestinus
- Lvsimachia arvensis
- Oxalis pes-caprae

Broadscale vegetation complex mapping (Government of Western Australia, 2019. 2018 South West Vegetation Complex Statistics. Current as of March 2019) identifies that vegetation within the project area is within the Glenarty Hills vegetation complex, comprising the following:

- Glenarty Hills H: Open forest of Eucalyptus marginata subsp. marginata-Corymbia calophylla-Banksia grandis with some Eucalyptus diversicolor on upland and slopes in hyperhumid and perhumid zones. 31.71% pre-European extent remaining
- Glenarty Hills Hw: Mixture of open forest of Eucalyptus diversicolor-Callistachys lanceolata, woodland of Eucalyptus patens-Corymbia calophylla and woodland of Eucalyptus rudis-Melaleuca rhaphiophylla on depressions in hyperhumid and perhumid zones. 35.37% pre-European extent remaining

At the local scale, the vegetation types in the broader area, based on the flora and vegetation assessment, include the following:

**Vegetation Type 1-** Scattered trees of *Corymbia calophylla* over an Open Shrubland/scattered shrubs of *Macrozamia riedlei*, *Bossiaea linophylla* and *Pteridium esculantum* over scattered low shrubs of *Hibbertia furfuracea* and *Conostylis aculeata* over a Closed Grassland and Herbland of \*Ehrharta longifolia, \*Oxalis incarnata and \*Fressia alba x leichtlinii.

Condition: Degraded

**Vegetation Type 2**: Isolated *Corymbia calophylla and Agonis flexuosa* saplings and Low Shrubland of *Bossiaea linophylla, Leucopogon verticillatus, Acacia myrtifolia, Hibbertia hypericoides, Leucopogon capitellatus, Macrozamia riedlei, Pteridium esculantum* and *Bossiaea ornata over a Herbland of Opercularia hispidula, \*Hypochaeris glabra, \*Gladiolus sp. \*Asparagus asparagoides and \*Fressia alba x leichtlinii* over a Grassland of \**Ehrharta longifolia and \*Briza maxima.* 

Condition: Degraded

**Vegetation Type 3**: Very Open Shrubland of *Lepidosperma tetraquetrum* with scattered *Pteridium esculantum, \*Juncus microcephalus and Gladiolus* sp. over a Closed Grassland of \*Cenchrus clandestinus and scattered herbs of \*Hypochaeris glabra.

Condition- Degraded to Completely Degraded

**Vegetation Type 4:** Open Woodland of Corymbia calophylla and Eucalyptus marginata over a Tall Open Shrubland of Acacia myrtifolia, Leucopogon capitellatus, Bossiaea linophylla over a Very Open Shrubland/scattered shrubs of Hibbertia hypericoides, Pimelea rosea, Hibbertia cuneiformis, Hibbertia furfuracea, Leucopogon verticillatus over scattered herbs of Opercularia hispidula, Angiozanthos flavidus, Hardenbergia comptoniana, \*Lysimachia arvensis\*Hypochaeris glabra, \*Gladiolus sp., \*Oxalis pes-caprae and Very Open Grassland of Tetrarrhena laevis and \*Briza maxima.

Condition- Degraded to Good

No Threatened or Priority Flora or Ecological Communities have been recorded within or near the proposed permit area, based on a desktop review of DBCA and DAWE datasets and the flora and vegetation assessment undertaken by the Shire.

A total of eight trees, comprising 8 x Marri (*Corymbia calophylla*) and 2 x WA Peppermint (*Agonis flexuosa*) occur within the permit area and may be impacted during road works (see Attachment 2). The marri trees are in poor health, affected by canker, and either partly or completely dead. One tree is greater than 50cm DBH.

#### Fauna

Based on a desktop fauna assessment of DBCA's database, there are no known records of threatened species within the clearing permit area. This is supported by the flora and vegetation assessment at Attachment 1, which did not identify any significant habitats for fauna species within the clearing area, due to the degraded condition of the vegetation.

A total of eight trees, comprising 6 x Marri (*Corymbia calophylla*) and 2 x WA Peppermint (*Agonis flexuosa*) occur within the permit area and may be impacted during road works (see Attachment 2). The marri trees are in poor health, affected by canker, and either partly or completely dead. One of the marri trees (tree 6) is over 50cm DBH, however on inspection it was not observed to contain branches large enough to support hollows suitable for black cockatoo nesting.

The peppermint trees are relatively young, small trees with small canopies. There was no evidence of dreys for western ringtail possums observed in either the marri or peppermint trees. In addition, there were no western ringtail possum scats, or feeding residue from black cockatoos observed at the site.

# ASSESSMENT OF POTENTIAL IMPACTS Flora and Vegetation

The clearing of up to 0.087 ha of vegetation along the 400 metre section of Glenarty Road is unlikely to have any impacts to significant flora or vegetation values. There are no known records of any threatened or priority flora or ecological communities within or near the permit area that will be impacted by the proposed clearing.

A number of weed species occur along the road reserve, which will be removed within the clearing area. Best practice weed hygiene measures will be implemented during clearing and road construction activities to avoid the introduction and spread of weeds.

There are no significant water courses or waterways intercepted by the road reserve. Part of the road upgrade involves replacing an existing culvert, which will improve surface drainage, and will not alter surface flows or increase sediment movement into the environment.

The Shire of Augusta Margaret River has intentionally designed the road reconstruction to minimize clearing of native vegetation as much as reasonably practicable. The original road design has been modified to reduce the footprint and retain several large trees.

The very small level of clearing of disturbed to completely disturbed vegetation is not expected to have a significant impact on flora or vegetation. The large expanse of native vegetation occurring to the east, including Scott National Park, would provide significantly higher native vegetation, biodiversity, and habitat values at the local and regional scales.

#### Fauna

It is not expected that the clearing of up to 0.087 ha of vegetation within the proposed permit area will have any significant impacts on fauna or fauna habitat.

The vegetation is predominantly in degraded to completely degraded condition, and largely dominated by weeds. The vegetation and flora assessment did not identify any habitat types that would suggest that the area represents core habitat for significant species.

The 8 trees within the permit area that may be impacted during road works are in poor condition and affected by canker, and are unlikely to represent significant habitat for fauna. One marri tree is over 50cm DBH, but was not observed to contain branches large enough to support hollows suitable for black cockatoo nesting.

The peppermint trees are relatively young with small canopies, and were not found to contain dreys for western ringtail possum. The lack of possum scats and feeding residue from black cockatoo species suggests that the site does not contain significant habitat for threatened fauna species.

Vegetation types in the broader local area potentially provide habitat for threatened species including 3 x black cockatoo species, western ringtail possum, and south-western brush-tailed phascogale, all of which have been recorded within a five-kilometer radius of the permit area. These species could potentially utilize the clearing area for foraging or movement from time to time, but the degraded condition of vegetation in the 0.087ha clearing area, and larger expanses of native and plantation forest nearby also suggests that the permit area does not provide significant habitat for threatened species.

Nevertheless, the Shire will mitigate any potential impacts to fauna by engaging a qualified fauna specialist to inspect vegetation prior to and during clearing, and to move any displaced animals to nearby habitat in accordance with DBCA's *Procedures to Minimise the Risk to Western Ringtail Possums during Vegetation Clearing and Building Demolition* (2015).

#### **CONCLUSION AND MANAGEMENT RECOMMENDATIONS**

The clearing of 0.087 ha of roadside vegetation within the Glenarty Road Reserve to allow for road reconstruction is not considered to be at variance with the 10 clearing principles.

The Shire of Augusta Margaret River will implement the following measures to ensure that impacts of clearing native vegetation are minimised.

 The road reconstruction has been designed to minimise disturbance to native vegetation and retain large trees. Retrenchment pruning will be implemented as an alternative to tree removal where possible, where branches pose a One marri tree over 50cm DBH may be impacted during clearing, however this tree is unlikely to provide nesting habitat for threatened fauna such as black cockatoo species or western ringtail possum, based on its poor condition, lack of suitable nesting hollows or dreys, and lack of visible evidence of feeding residue or scats. No other potential habitat trees will be impacted.
Clearing will be implemented in strict accordance with DBCA's *Procedures to Minimise the Risk to Western Ringtail Possums during Vegetation Clearing and Building Demolition* (DBCA, 2015), including the presence of a fauna specialist on site prior to and during construction in order to inspect trees and manage any disturbed animals.

- Existing surface drainage patterns will be maintained during road reconstruction, with no changes to surface hydrology or movement of sediment into the surrounding environment.
- Best practice weed and dieback hygiene measures will be implemented during clearing and construction (clean vehicles and machinery prior to entering the site).

#### Part 6 - Offset

Do you want to submit a clearing offset proposal with your form?	□ Yes ⊠ No
If 'Yes' – please complete and attach Appendix A of the <u>Clearing of native vegetation offsets procedure</u> guideline as a supporting document for your form.	☐ Appendix A attached

# Part 7 – Surveys for assessments (IBSA and IMSA)

Do you want to submit marine or biodiversity surveys in support of your form?	☐ Yes ☒ No – skip to Part 8
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#### 7.1 Biodiversity surveys

If you want to submit any biodiversity surveys to support this form, you must follow the Environmental Protection Authority's (EPA) <u>Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments</u> (IBSA). If you do not meet the IBSA requirements, DWER/DMIRS (as applicable) may decline/return your form.

Please provide the IBSA number(s) – or submission number(s) if the IBSA number has not yet been issued – in the space provided. Note that a submission number is not confirmation that a biodiversity survey has been accepted and is not the same as an IBSA number. IBSA numbers are only issued once a survey has been accepted. Once an IBSA number is issued, please notify DWER/DMIRS (as applicable). Please note DWER / DMIRS will suspend the assessment timeframes for your form until you provide the IBSA number(s).

Have you submitted all the biodiversity surveys that support this form to the Index of Biodiversity Surveys for Assessment, available at <a href="mailto:ibsasubmissions.dwer.wa.gov.au">ibsasubmissions.dwer.wa.gov.au</a> ?	<ul><li>☐ Yes</li><li>☐ Not applicable</li></ul>		
Provide an IBSA number (preferred) or a submission number(s)			
7.2 Marine surveys			
If you want to submit any marine surveys to support this form, you mu Instructions for the preparation of data packages for the Index of Marii			
Assessments (IMSA). If you do not meet the IMSA requirements, DWI	ER may decline/return your		
form.			

☐ Yes

☐ Not applicable

Have you prepared all the marine surveys that support this form in accordance with the EPA's *Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments*?

# Part 8 – Assessment Bilateral Agreement

The native vegetation clearing processes under Part V of the EP Act have been accredited by the Commonwealth of Australia under the EPBC Act and so can be assessed under an assessment bilateral agreement.

To be assessed this way, the proposed clearing action must have been referred to the Commonwealth under the EPBC Act and deemed a 'controlled action' before you submit this form.

For further information, see <u>DWER's website guidance on the assessment bilateral agreement</u>.

Is your proposed clearing a conti	□ Yes	⊠ No – skip to Part 9		
If 'Yes' – complete the following:				
Please make sure you have entered all the mandatory details in the <u>Annex C7 form</u>	☐ Annex C7 form attached			
List the controlling provisions identified in the notification of the controlled action decision				
Part 9 – Other approvals				
Which department are you submitting this form to?				
If the clearing is for mineral and petroleum activities authorised under the <i>Mining Act 1978</i> , the various Petroleum Acts, and/or a State Agreement Act, select 'Department of Mines, Industry Regulation and Safety'.		<ul><li>□ Department of Mines, Industry Regulation and Safety</li><li>⊠ Department of Water and</li></ul>		
For all other clearing activities, select 'Department of Water and Environmental Regulation'.		Environmental Regulation		

#### 9.1 Environmental impact assessment (Part IV of the EP Act)

Clearing may be referred to the EPA if it is considered to be part of a 'significant proposal', as defined by section 37B(1) of the EP Act, or will likely to be part of a larger development. An example is when the clearing is for a road to a future mine.

Section 37B(1) of the EP Act defines a 'significant proposal' as "a proposal likely, if implemented, to have a significant effect on the environment". If a decision-making authority (e.g. DWER or DMIRS) considers the proposal in this form is likely to constitute a 'significant proposal', under section 38(5) of the EP Act they must refer the proposal to the EPA or for assessment under Part IV, if such a referral has not already been made.

Has the proposed clearing or any	□ Yes		
related matter been referred to	Enter details:		
the EPA?	No − complete question b	elow.	
If 'No' – do you intend to refer the proposal to the EPA?	<ul> <li>☐ Yes – intend to refer (proposal is a 'significant proposal')</li> <li>☐ Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement)</li> <li>☐ No – a current valid Ministerial Statement applies</li> </ul>		
	<ul><li>Enter Ministerial Statement I</li><li>☑ No – not a significant prop</li></ul>		
9.2 Other approvals – pre-application scoping (DWER forms only)			
Have you had any pre-application/ pre-referral/ scoping meetings with DWER about any planned applications?	□ Yes  Enter details:  ☑ No		
9.3 Other approvals – works approval, licence or registration (Part V Division 3 of the EP Act)			
works approval, licer amendment to any o Division 3 of the EP of t	do you intend to apply for a nce, registration or an f the above, under Part V Act?  form any action that would become a prescribed sted in Schedule 1 of the ction Regulations 1987, done in accordance with a nce or registration. For further R's <u>Procedure: Prescribed</u> rovals and licences and egulation guide to licensing.	<ul> <li>Yes</li> <li>Application reference:</li> <li>No − a valid works approval applies</li> <li>No − a valid licence applies</li> <li>No − a valid registration applies</li> <li>No − not required</li> </ul>	