



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 1473/2
Permit Holder:	Meelup Regional Park Management Committee acting on behalf of the Shire of Busselton
Duration of Permit:	28 September 2008 – 28 September 2013

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done

Clearing for the purpose of walk trail construction.

2. Land on which clearing is to be done

Lot 4970 on Plan 240400 (Lot No. 4718 EAGLE BAY NATURALISTE 6281)

Lot 4954 on Plan 190993 (Lot No. 4954 FERN EAGLE BAY 6281)

3. Area of Clearing

The Permit Holder must not clear more than 0.28 hectares of native vegetation within the area hatched yellow on attached Plan 1473/2.

4. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

5. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation for activities to the extent that the Permit Holder has the power to clear native vegetation for those activities under the *Local Government Act 1995* or any other written law.

6. Compliance with Assessment Sequence and Management Procedures

Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

7. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

8. Dieback and weed control

- (a) When undertaking any clearing, or other activity pursuant to this Permit the Permit Holder must take the following steps to minimise the risk of introduction and spread of *dieback*:
- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) avoid the movement of soil in wet conditions;
 - (iii) ensure that no *dieback*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
 - (iv) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
- (b) When undertaking any clearing, or other activity pursuant to this Permit the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds*:
- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) ensure that no *weed*-affected *mulch*, *fill* or other material is brought into the area to be cleared; and
 - (iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
- (c) At least once in each 12 month period for the *term* of this Permit, the Permit Holder must remove or kill any *weeds* growing within areas cleared under this Permit.

9. Flora management

- (a) Prior to undertaking any clearing within Lot 4970 on Plan 240400 at GPS coordinates 319937 E 62855863 N, the area shall be inspected by a *flora specialist* who shall identify the rare flora species *Caladenia caesarea* subsp. *maritima*.
- (b) Where *Caladenia caesarea* subsp. *maritima* are identified in relation to condition 9(a) the Permit Holder shall ensure that:
- (i) All records of *Caladenia caesarea* subsp. *maritima* are submitted to the CEO; and
 - (ii) No clearing occurs within 50m of *Caladenia caesarea* subsp. *maritima*, unless approved by the CEO.

PART III - RECORD KEEPING AND REPORTING

10. Records must be kept

- (a) The Permit Holder must maintain the following records for activities done pursuant to this Permit in relation to the clearing of native vegetation authorised under this Permit:
- (i) the species composition, structure and density of the cleared area;
 - (ii) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
 - (iii) the date that the area was cleared; and
 - (iv) the size of the area cleared (in hectares).
- (b) In relation to Flora Management pursuant to condition 9 the location of *Caladenia caesarea* subsp. *maritima* recorded using Geocentric Datum Australia 1994.

11. Reporting

- (a) The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of records required under condition 10 of this Permit and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 28 June 2013, the Permit Holder must provide to the CEO a written report of records required under condition 10 of this Permit where these records have not already been provided under condition 11(a) of this Permit.

Definitions

The following meanings are given to terms used in this Permit:

dieback means the effect of *Phytophthora* species on *native vegetation*;


fill means material used to increase the ground level, or fill a hollow;

flora specialist means a person with specific training and/or experience in the ecology and taxonomy of Western Australian flora;

mulch means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation;

term means the duration of this Permit, including as amended or renewed; and

weed means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the Agricultural and Related Resources Protection Act 1976.



Keith Claymore
A / DIRECTOR
NATURE CONSERVATION DIVISION

*Officer delegated under Section 20
of the Environmental Protection Act 1986*

16 April 2009

Plan 1473/2



LEGEND

- Clearing Instruments
-  Areas Approved to Clear
 -  Cadastre
- Busselton 50cm Orthomosaic - Landgate 2004



Scale 1:9748
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

Keira Claymore 16/4/09
K Claymore

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



Department of Environment and Conservation

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1. Application details

1.1. Permit application details

Permit application No.: 1473/2
 Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Meelup Regional Park Management Committee

1.3. Property details

Property: LOT 4970 ON PLAN 240400 (Lot No. 4718 EAGLE BAY NATURALISTE 6281)
 Local Government Area: Shire Of Busselton
 Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.28		Cutting	Walk trail alignment

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Beard vegetation association 1180 & 23: (Shrublands; Calothamnus quadrifidus & Hakea trifurcata; & (Low woodland; jarrah-banksia) (Hopkins et al. 2001, Shepherd et al. 2002).	The proposal includes the clearing of 0.28ha of vegetation from within Crown Reserve 21629 in the locality of Naturaliste, for the re-routing of an existing beachside walk trail. The area to be cleared is considered to be an open woodland with thick understorey structure, including heavy weed infestation, due to spread by trail users by foot. The area is mostly comprised of woodland species	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	Observed during site visit: Only a small area of vegetation is to be removed as a majority of the proposed re-route follows existing tracks made by opportunistic walkers over a period of 40-odd years. The first section: a small area of sword grass sedge will be removed to allow access to the beach and a further 75m x 1.0m wide of heath to rejoin the path where it passes back into the Reserve. This area is a mixture between medium woodland spp. and heathland sp. The second and third sections comprise relatively undisturbed heath, however only a section of <i>Spyridium globulosum</i> and two sections of <i>Acacia cyclops</i> will be removed.
Mattiske Vegetation complex Wilyabrup (Wr): Woodland of <i>Corymbia calophylla</i> - <i>Eucalyptus marginata</i> subsp. <i>marginata</i> with closed heath of Myrtaceae-Proteaceae-Papilionaceae spp. on steep rocky slopes in the hyperhumid zone. (Mattiske Consulting 1998).	<i>Corymbia calophylla</i> - <i>Eucalyptus marginata</i> and heathland species Myrtaceae-Proteaceae-Papilionaceae spp. Vegetation is medium forest to heathland, with condition considered to be good in most areas, however degraded in some (DEC Site Visit, 27-09-2006).		No formal survey of the park has been undertaken, however the group that has prepared the Cape Naturaliste Regional Herbarium has included this area in its study. Of the area that has been studied, the only species of special interest was the species <i>Ptylotis</i> (Meelup Regional Park description of clearing and vegetation, 2006).

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments **Proposal may be at variance to this Principle**
 The proposed clearing of 0.28ha of native vegetation is in good to very good (Keighery 1994) condition, with remnant coastal woodland of *Corymbia calophylla*-*Eucalyptus marginata* species, and native coastal heathland vegetation consisting of Myrtaceae-Proteaceae-Papilionaceae spp. on rocky slopes. The area is to be amended to widen the clearing envelope so that the trail alignment can occur. The area to be cleared will not increase and no additional environmental impacts are expected to result (DEC, 2009).

The vegetation under application is located in a coastal environment, on the rocky shores between two bays in the South West, and has been subjected to walkers and related impacts for approximately 40 years. The area is within a large coastal crown reserve, managed by a local environmental committee.

Clearing of the area under application is unlikely to cause further degradation giving the size of the area, 0.28ha. The current level of disturbance at the site and the extensive weed invasion suggest the original biodiversity may have been significantly compromised, although this could well be restored through proper management.

Several Environmentally Sensitive Areas (ESAs) occur within 5km of the proposed clearing, supporting several known records of the Threatened Ecological Community (TEC) 'Meelup Granites' and the Rare Flora *Caladenia caesarea* subsp. *maritima*.

Discussions with the applicant indicated that the extent of the walk-trail construction is only from Eagle bay to Rocky point, and does not go all the way to Bunkers bay, hence the site was only inspected to Rocky point, and thus it is recommended that no clearing occur past this point as there are concerns of rare flora being impacted by the proposed walk-trail alignment (DEC, 2008).

There is a section of the track that crosses an area which may be suitable habitat for the *Caladenia caesarea* ssp. *Maritima* (rare flora). Although a flora survey was conducted in 2007, this area was not inspected, and it is recommended that a survey be conducted within this site during spring (DEC, 2007) Apart from this section, which may be a suitable habitat for rare flora, the DEC does not have any concerns with the clearing of native vegetation between Eagle bay and Rocky point (DEC, 2008).

Methodology DEC (2008)
DEC (2007);
DEC (2006);
Keighery (1994);
GIS Databases:
- Declared Rare and Priority Flora List - CALM 13-08-03;
- Pre-European Vegetation - DA 01-01;
- Mattiske Vegetation - CALM 23-3-98;
- Busselton 50cm ORTHOMOSAIC - DLI03

(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.

Comments Proposal is not likely to be at variance to this Principle

The proposed clearing consists of removing coastal vegetation species on coastal granite outcrop, to re-route an existing walk trail off alienated land onto crown reserve.

The vegetation under application is in good to very good condition (Keighery 1994), with patches of disturbance due to anthropogenic influences over many years.

The relatively small area and linear alignment of the proposed clearing is not likely to constitute significant fauna habitat when considered in comparison with the surrounding vegetation (DEC, 2007) . Therefore, the proposal is unlikely to be at variance to this Principle.

Methodology DEC (2007);
DEC (2006);
Keighery (1994);
GIS Database:
- Busselton 50cm ORTHOMOSAIC - DLI03

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.

Comments Proposal may be at variance to this Principle

Two populations of rare flora *Caladenia caesarea* subsp. *maritima* have been recorded within 500m of the proposed clearing. A further five populations have been recorded within 5km of the proposed clearing. These populations occur on the same vegetation complex as the proposed clearing.

There are 24 other recorded populations of rare flora in the local area (10km radius), therefore the proposal may be at variance to this principle.

The known occurrence of declared rare flora adds weight to the need for an adequate level of floristic survey, at the appropriate time of year (DEC, 2007). An inspection was carried out on 30 May 2008 by the DEC.

During this inspection, concerns were raised of the proposed walk-trail alignment impacting on rare flora. It is recommended that the end point of the walk track be situated at Rocky point (as a stand alone destination), as this is where the site was inspected up to. There are significant rare flora concerns for any alignment from Rocky point to Bunkers bay (DEC, 2008).

In addition to this, there is a section of the track that crosses an area which may be suitable habitat for the *Caladenia caesarea* ssp. *maritima* (rare flora). Although a flora survey was conducted in 2007, this area was not inspected, and it is recommended that a survey be conducted within this site during spring (DEC, 2008).

Methodology DEC (2007);
DEC (2008);
GIS database:
- Declared Rare and Priority Flora List - CALM 13/08/03

(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.

Comments Proposal is not likely to be at variance to this Principle

Eight Threatened Ecological Communities (TEC's) have been recorded within 5km of the proposed clearing, with the nearest located 1.5km from the notified area.

A number of plots of TEC 'Meelup Granites' (*Calothamnus graniticus* heaths on south west coastal granites) (Vulnerable State criteria) have been recorded as close as 1.5km south east of the proposed clearing (DEC, 2007).

There were no TECs recorded on the application area, and it is considered unlikely that the proposed clearing from Eagle bay to Rocky point is at variance this principle.

Methodology DEC (2007);
DEC (2006);
GIS Databases:
- Threatened Ecological Communities - CALM 15-07-03;
- Threatened Plant Communities - DEP 06-95;
- Environmentally Sensitive Areas - DOE 30-05-05

(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.

Comments Proposal is not at variance to this Principle

The vegetation proposed to be cleared is a component of Beard Vegetation Associations 1180 and 23 (Hopkins et al. 2001) of which there are 74.7% and 67.2% (Shepherd et al. 2001) of the pre-European extent remaining. The vegetation under application is also within the Donnybrook-Balingup Shire of which there is 72% of pre-European extent remaining.

The vegetation at the site is a component of Mattiske Vegetation Complex Wilyabrup (Wr) (Havel 2002) of which there is 73.0% of the pre-European extent remaining.

The vegetation is also within the Busselton Shire of which there is 44.5% of pre-European extent remaining. Therefore, the proposed clearing is not considered to be a significant remnant of vegetation in an area that has been extensively cleared; and not at variance to this Principle.

Methodology Havel (2002) Mattiske;
Hopkins et al. (2001);
Shepherd et al. (2001);
GIS databases:
- Mattiske vegetation - CALM 24/3/98;
- Local Government Authorities - DLI 8/07/04;
- Pre-European Vegetation - DA 01/01;
- Busselton 50cm ORTHOMOSAIC - DLI03

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Comments Proposal is not at variance to this Principle

The area under application closely follows the coast line with no watercourses or wetlands present (DEC, 2006), therefore this proposal is not at variance to this principle.

Methodology DEC (2006);
GIS databases:
- ANCA, Wetlands - CALM 08/01
- EPP Areas - DEP 06/95
- EPP Lakes - DEP 28/07/03

- Geomorphic Wetlands (Mgt Categories) Swan Coastal Plain - DoE 15/9/04
- Hydrography Linear - DoE 1/2/04
- RAMSAR, Wetlands - CALM 21/10/02

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Comments Proposal is not at variance to this Principle

The area proposed to be cleared has no known Acid Sulphate Soils risk, a low salinity risk and a groundwater salinity of 1000-3000 mg/L (near the ocean). Due to the scale of the proposed clearing, appreciable land degradation is highly unlikely.

Methodology GIS databases:

- Acid Sulphate Soil Risk Map, SCP - DoE 01/02/04
- Salinity Risk LM 25m - DOLA 00
- Groundwater Salinity, Statewide - 22/02/00

(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.

Comments Proposal is not likely to be at variance to this Principle

There is only one DEC managed area and one Registered National Estate located within the local area (10km radius). The Leewin-Naturaliste National Park is located 2km West, and parts of the Leewin-Naturaliste Ridge Area, a system 1 conservation area, are within the proposed area to be cleared. Both are vegetatively linked to the general area under application, however due to the scale of clearing, it is not expected that the proposal will impact upon these areas. Although given the areas susceptibility to dieback, a condition will be imposed to minimise the risk of introducing dieback into the area.

Methodology GIS databases:

- CALM Managed Lands and Waters - CALM 1/06/04
- Register of National Estate - EA 28/01/03
- System 6 Conservation Reserves - DEP 06/95

(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.

Comments Proposal is not at variance to this Principle

The proposed clearing is not within a surface water catchment area, however is located within the Busselton-Capel groundwater area. Due to the scale of clearing and not being within a surface water catchment area, the area under application is not at variance to this principle.

Methodology GIS databases:

- CAWSA Part2A clearing control catchment - DoE 17/11/05
- Evaporation Isopleth - BOM 09/98
- Hydrogeology, statewide - WRC 05/02/02
- Hydrographic Catchments, Catchments - DoE 3/4/03
- PDWSA, Gazetted - WRC 01/11/02
- Public Drinking Water Source Areas (PDWSAs) - DOE 29/11/04
- Rainfall, Mean Annual - BOM 30/09/01
- RIWI Groundwater Areas - WRC 13/06/00;
- RIWI Surface Water Areas - WRC 18/10/02;

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.

Comments Proposal is not at variance to this Principle

Flooding impacts are unlikely to occur as a result of the proposed clearing given the size of the clearing proposal and location. Due to the fact the area is uphill from the nearest watercourse (600m South) and the scale of the clearing is so minor, it is not expected to be at variance to this principle.

Methodology GIS databases:

- Topographic Contours, Statewide - DOLA 12/09/02

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

The reserve has no zoning within the current Town Planning Scheme.

No submissions have been received.

No other EP Act or RIWI Act approvals are associated with the proposed clearing.

Methodology

4. Assessor's comments

Comment

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, and the proposed clearing is;

- not at variance to principles (e),(f), (g), (i),&(j)
- not likely to be at variance to principles (b), (d) & (h)
- may be at variance to principles (a) & (c)

5. References

- Biodiversity Coordination Section, DEC (2007). Targeted advice on CPS1473/1. Department of Environment and Conservation, Western Australia. TRIM Ref: DOC13659
- DEC Site Visit Report, 2006. Department of Environment and Conservation, Bunbury. TRIM Ref: DOC7249
- Department of Natural Resources and Environment (2002) Biodiversity Action Planning. Action planning for native biodiversity at multiple scales; catchment bioregional, landscape, local. Department of Natural Resources and Environment, Victoria.
- Havel, J.J. and Mattiske Consulting Pty Ltd (2002) Review of management options for poorly represented vegetation complexes, Conservation Commission.
- Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Mattiske Consulting (1998) Mapping of vegetation complexes in the South West forest region of Western Australia, CALM.
- Meelup Regional Park Management Committee - Correspondence to DRF in relation to clearing permit: proposed clearing and vegetation description (2006).
- Regional advice (2008) Trim Ref: DOC 58068
- Shepherd, D.P. (2007). Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth. Includes subsequent updates for 2006 from Vegetation Extent dataset ANZWA1050000124.

6. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment
DoIR	Department of Industry and Resources
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DEC)