



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

### PERMIT DETAILS

Area Permit Number: 4433/2  
File Number: 2011/005384-2  
Duration of Permit: 5 December 2011 to 5 December 2016

### PERMIT HOLDER

Minister for Health

### LAND ON WHICH CLEARING IS TO BE DONE

LOT 406 ON DEPOSITED PLAN 216401 (WEST BUSSELTON 6280)

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 238 native trees within the area hatched yellow on attached Plan 4433/2.

### CONDITIONS

#### 1. Environmental management plan

- (a) The Permit Holder must prepare, implement and adhere to a Western Ringtail Possum Management Plan.
- (b) The Western Ringtail Possum Management Plan must include:
  - (i) a plan for managing the *impacts*, inclusive of an *offset proposal* implemented in accordance with conditions 1(c) and 1(d) of this permit;
  - (ii) a table setting out the Permit Holder's commitments to the Western Ringtail Possum Management Plan requirements; and
  - (iii) a program for monitoring compliance with the Permit Holder's commitments;
- (c) Determination of *offsets*:
  - (i) in determining the *offset* to be implemented with respect to a particular area of native vegetation proposed to be cleared under this Permit, the Permit Holder must have regard to the *offset* principles contained in condition 1(d) of this Permit;
  - (ii) the Permit Holder shall implement the *offset proposal* approved under condition 1(c)(iii); and
  - (iii) each *offset proposal* shall include a *direct offset*, timing for implementation of the *offset proposal* and may additionally include *contributing offsets*.
- (d) For the purpose of this condition, the *offset* principles are as follows:
  - (i) *direct offsets* should directly counterbalance the loss of the native vegetation;
  - (ii) *contributing offsets* should complement and enhance the *direct offsets*;
  - (iii) *offsets* are implemented only once all avenues to avoid, minimise, rectify or reduce environmental impacts have been exhausted;
  - (iv) the environmental values, habitat, species, *ecological community*, physical area, ecosystem, landscape, and hydrology of the *offset* should be the same as, or better than, that of the area of native vegetation being *offset*;
  - (v) a ratio greater than 1:1 should be applied to the size of the area of native vegetation that is *offset* to compensate for the risk that the *offset* may fail;
  - (vi) *offsets* must entail a robust and consistent assessment process;

- (vii) in determining an appropriate *offset*, consideration should be given to ecosystem function, rarity and type of *ecological community*, vegetation *condition*, habitat quality and area of native vegetation cleared;
  - (viii) the *offset* should either result in no net loss of native vegetation, or lead to a net gain in native vegetation and improve the *condition* of the natural environment;
  - (ix) *offsets* must satisfy all statutory requirements;
  - (x) *offsets* must be clearly defined, documented and audited;
  - (xi) *offsets* must ensure a long-term (10-30 year) benefit; and
  - (xii) an *environmental specialist* must be involved in the design, assessment and monitoring of *offsets*.
- (e) Once the Permit Holder has developed a Western Ringtail Possum Management Plan, the Permit Holder must provide that Western Ringtail Possum Management Plan to the CEO for the CEO's approval. The clearing to which the Western Ringtail Possum Management Plan relates and the implementation of the Western Ringtail Possum Management Plan shall not take place until the Permit Holder receives approval from the CEO.
  - (f) If it is necessary to modify the Environmental Management Plan, the Permit Holder must submit the modified plan to the CEO.
  - (g) A modified Environmental Management Plan must not be implemented until approved by the CEO.
  - (h) An approved modified Environmental Management Plan supersedes any previous Environmental Management Plan.

## 2. Records must be kept

The Permit Holder must maintain records of the Western Ringtail Possum Management Plan activities undertaken, in accordance with the Western Ringtail Possum Management Plan in relation to condition 1.

## 3. Reporting

- (a) The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of record required under condition 2 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 5 September 2016, the Permit Holder must provide to the CEO a written report of records required under condition 2 of this Permit where these records have not already been provided under condition 3(a) of this Permit.

## DEFINITIONS

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

***condition*** means the rating given to native vegetation using the *Keighery scale* and refers to the degree of change in the structure, density and species present in the particular vegetation in comparison to undisturbed vegetation of the same type;

***contributing offset/s*** has the same meaning as is given to that term in the Environmental Protection Authority's *Position Statement No.9: Environmental Offsets*, January 2006;

***direct offset/s*** has the same meaning as is given to that term in the Environmental Protection Authority's *Position Statement No.9: Environmental Offsets*, January 2006;

***ecological community/ies*** means a naturally occurring biological assemblage that occurs in a particular type of habitat (English and Blythe, 1997; 1999);

*environmental specialist* means a person who is engaged by the Permit Holder for the purpose of providing environmental advice, who holds a tertiary qualification in environmental science or equivalent, and has experience relevant to the type of environmental advice that an environmental specialist is required to provide under this Permit;

*impacts* means any impact of clearing on environmental values;

*offset/s* means an offset required to be implemented under condition 1 of this Permit;

*Keighery scale* means the vegetation condition scale described in *Bushland Plant Survey: A Guide to Plant Community Survey for the Community (1994)* as developed by B.J. Keighery and published by the Wildflower Society of WA (Inc). Nedlands, Western Australia;

*offset proposal* means an *offset* determined by the Permit Holder in accordance with condition 1 of this Permit;



M Warnock  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

15 August 2013

# Plan 4433/2



## LEGEND

- Clearing Instruments
- Areas Approved to Clear
- Local Government Authorities
- Road Centrelines
- Cadastre for labelling
- Busselton Townsite 20cm Orthomosaic - Landgate 2008



Scale 1:3200  
(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.

*M Warnock* Date 15/3/13

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



\* Project Data is denoted by asterisk. This data has not been quality assured. Please contact map author for details.



# Clearing Permit Decision Report

Government of Western Australia  
Department of Environment Regulation

## 1. Application details

### 1.1. Permit application details

Permit application No.: 4433/2  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Minister for Health

### 1.3. Property details

Property: LOT 406 ON PLAN 216401 (House No. 11 MILL WEST BUSSELTON 6280)  
Local Government Area: City of Busselton  
Colloquial name: Redevelopment of the Busselton Health Campus

### 1.4. Application

Clearing Area (hectares)	No. Trees	Method of Clearing	For the purpose of:
	238	Mechanical Removal	Building or Structure

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 15 August 2013

## 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
Mapped Beard Vegetation Association 990 is described as 'Low forest: peppermint (Agonis flexuosa)' (Shepherd et al. 2001).	Redevelopment of the Busselton Health Campus. The application is to increase the clearing footprint from 6 hectares to 6.3 hectares. Previous approval to clear 238 trees within Lot 406 on Deposited Plan 216401, West Busselton, City of Busselton, for the purpose of redeveloping the Busselton Health Campus.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994) To Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994).	The condition of the vegetation under application was determined via a site inspection (DEC 2011). The vegetation under application consists predominantly of medium-sized to mature Agonis flexuosa trees with exotic tree species present within the south-east corner and north-west section of the applied area (DEC 2011). The majority of the area under application is in a degraded (Keighery, 1994) condition and consists of Agonis flexuosa (peppermint trees) with understorey of grassy weeds (DEC 2011).

## 3. Assessment of application against clearing principles

### Comments

The application is to increase the clearing footprint from 6 hectares to 6.3 hectares. This is to include two peppermint trees which are outside of the approved permit area, and are within the approved conservation area. The change to the application area is also to align the areas approved to clear and approved for conservation by both the Department of Environment Regulation (DER) and the Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC).

The amendment of the Western Ringtail Management Plan to include two peppermint trees, to a total of 158 trees, has previously been given support by the Native Vegetation Conservation Branch, DER (DEC 2013a). The application does not propose to increase the total number of trees approved to clear under clearing permit CPS 4433/1.

A review of current environmental information reveals no additional information. Therefore the assessment against the clearing principles has not changed. The findings from the previous assessment are still relevant and can be found in the Clearing Permit Decision Report CPS 4433/1.

Methodology References:  
DEC 2013a

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

### Comments

The applicant has DSEWPaC approval for the applied changes to the clearing footprint (DEC 2013b).

No public submissions have been received in relation to this application.

**Methodology**    References:  
DEC 2013b

#### 4. References

- DEC (2011) Site Inspection and Regional Advice Report for Clearing Permit Application CPS 4433/1, Lot 406 Bussell Highway, West Busslton. Site inspection undertaken 14/07/2011. Department of Environment and Conservation, Western Australia (DEC Ref: A417254).
- DEC (2013a) Correspondence outward dated 4 April 2013, DEC REF: A616742.
- DEC (2013b) Correspondence inward dated 5 June 2013, DEC REF: A636824.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- 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.

#### 5. 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)