



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5015/1
Permit Holder:	Shire of Capel
Duration of Permit:	27 July 2012 – 27 July 2017

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 fire hazard zone establishment.

2. Land on which clearing is to be done

Unallocated Crown land [Gwindinup Road reserve (Boyanup, 6237, PIN11177766 and PIN508446)]

Lot 309 on Plan 45967 [Ludlow North Road reserve (Ludlow, 6280, PIN11562923)]

Tuart Drive Road reserve (Ludlow, 6280, PIN11380899)

Capel-Tutunup Road reserve (Ludlow, 6280, PIN11614483)

Cable Mine Road reserve (Stratham, 6237, PIN1323157)

Yearly Road reserve (Capel, 6271, PIN1258649)

Nicholls Road reserve (Elgin, 6237, PIN1323151)

Elgin Road reserve (Elgin, 6237, PIN11618289)

Hurst Road reserve (Boyanup, 6237, PIN, PIN1314695)

Dardanup Road reserve (North Boyanup, 6237, PIN1314643)

3. Area of Clearing

The Permit Holder must not clear more than 0.71 hectares of native vegetation within the combined area, of the areas cross-hatched yellow on attached Plan 5015/1a, Plan 5015/1b, Plan 5015/1c, Plan 5015/1d, Plan 5015/1e, Plan 5015/1f, Plan 5015/1g, Plan 5015/1h, Plan 5015/1i and Plan 5015/1j.

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 the activities described in condition 1 of this Permit to the extent that the Permit Holder has the power to carry out works involving clearing 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

- (a) avoid the clearing of native vegetation
- (b) minimise the amount of native vegetation to be cleared
- (c) reduce the impact of clearing on any environmental value.

8. Dieback and weed control

When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds* and *dieback*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

9. Fauna management

Prior to undertaking any clearing authorised under this Permit, the area(s) cross-hatched yellow on attached Plan 5015/1c, Plan 5015/1d, Plan 5015/1g, Plan 5015/1h and Plan 5015/1i shall be inspected by a *fauna specialist* who shall:

- (a) identify habitat trees suitable to be utilised by Western Ringtail Possums (*Pseudocheirus occidentalis*);
- (b) inspect habitat trees identified by condition 9(a) for the presence of Western Ringtail Possums (*Pseudocheirus occidentalis*); and
- (c) within one week prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna clearing person* to remove and relocate fauna identified under condition 9(b).

PART III - RECORD KEEPING AND REPORTING

10. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
 - (i) 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
 - (ii) the date that the area was cleared
 - (iii) the size of the area cleared (in hectares).
- (b) In relation to fauna management pursuant to condition 9 of this Permit:
 - (i) the location of each *habitat tree* identified recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees
 - (ii) the location where each identified Western Ringtail Possums (*Pseudocheirus occidentalis*) was relocated to; recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees
 - (iii) a copy of the *fauna specialist's* report.

11. Reporting

- (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
- (i) of records required under condition 10 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 26 April 2017, the Permit Holder must provide to the CEO a written report of records required under condition 11 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;

habitat tree(s) means trees that have a diameter, measured at 1.5m above the ground, of 50cm or greater, healthy but with dead limbs and broken crowns that are likely to contain hollows and roosts suitable for native fauna, or where these are not present then healthy but with the potential to contain hollows and roosts

fauna clearing person means a person who has obtained a licence from the Department, issued pursuant to the *Wildlife Conservation Regulations 1970* authorising them to take fauna;

fauna specialist means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna;

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

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;

weed/s 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 *Agriculture and Related Resources Protection Act 1976*;



Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

5 July 2012

Plan 5015/1a



LEGEND

- Road Centrelines
- Donnybrook 50cm Orthomosaic - Landgate 2004
- Clearing Instruments
- Areas Approved to Clear
- Cadastre for labelling

* Project Data. This data has not been quality assured. Please contact map author for details.



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Scale 1:1940

(Approximate when reproduced at A1)

Geospatial Datum Australia 1994

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K Faulkner Date: 3/7/12

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Plan 5015/1b



LEGEND

- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Cadastre for labelling
- Bunbury 50cm Orthomosaic - Landgate 2004

* Project Data. This data has not been quality assured. Please contact map author for details.



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K Faulkner

K Faulkner

Date 5/7/12

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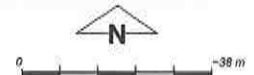
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Plan 5015/1c



LEGEND

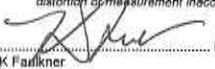
-  Road Centrelines
-  Clearing Instruments
-  Areas Approved to Clear
-  Cadastre for labelling
-  Busselton 50cm Orthomosaic - Landgate 2007



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Plan 5015/1d



LEGEND

-  Road Centrelines
-  Clearing Instruments
-  Areas Approved to Clear
-  Cadastre for labelling
-  Busselton 50cm Orthomosaic - Landgate 2007

* Project Data. This data has not been quality assured. Please contact map author for details.



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Geocentric Datum Australia 1994

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Date 5/7/12

K Faulkner

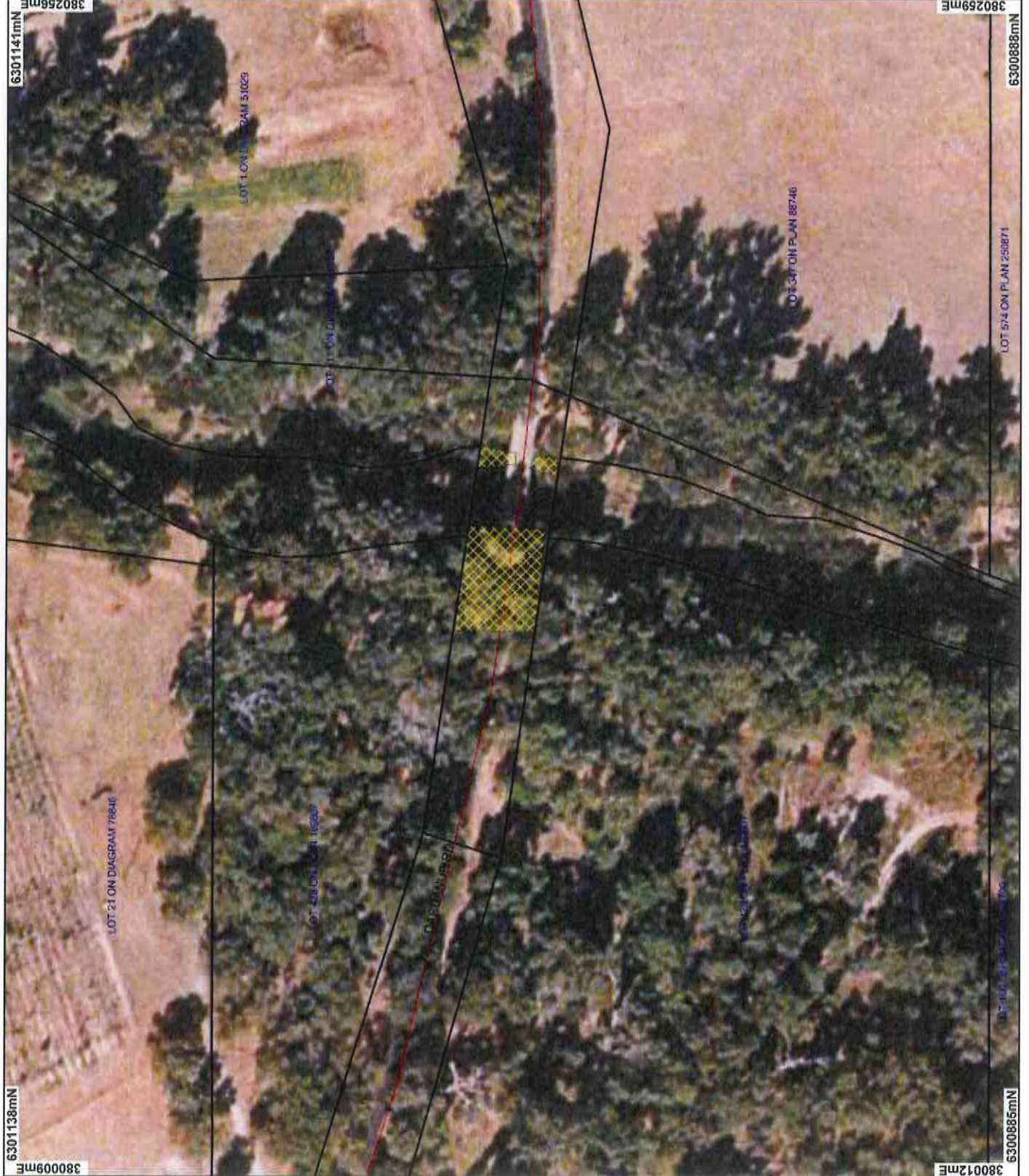
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Plan 5015/1e



LEGEND

- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Cadastre for labelling
- Bunbury 50cm Orthomosaic - Landgate 2005

* Project Data. This data has not been quality assured. Please contact map author for details.



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Geocentric Datum Australia 1994

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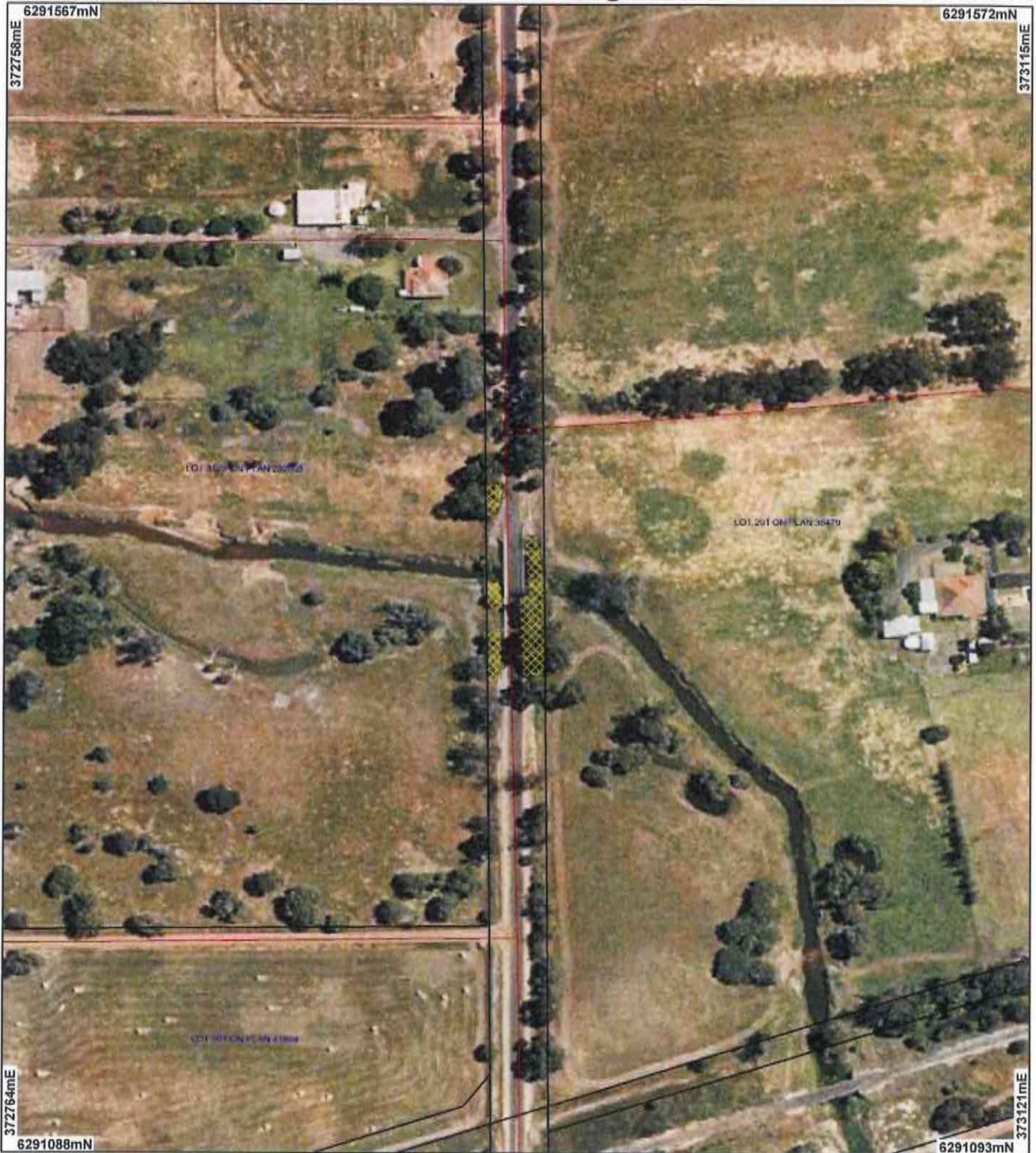
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Plan 5015/1g



LEGEND

- Road Centrelines
- Donnybrook 50cm Orthomosaic - Landgate 2004
- Clearing Instruments
- Areas Approved to Clear

Cadastral for labelling



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Geocentric Datum Australia 1994

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Date 5/7/12

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Plan 5015/1h



LEGEND

- Road Centrelines
- Donnybrook 50cm Orthomosaic - Landgate 2004
- Clearing Instruments
- Areas Approved to Clear
- Cadastre for Labelling
- Bunbury 50cm Orthomosaic - Landgate 2006

* Project Data. This data has not been quality assured. Please contact map author for details.



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[Signature] Date: 5/1/16
K. Faulkner

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Plan 5015/1i



LEGEND

- Road Centrelines
- Donnybrook 50cm Orthomosaic - Landgate 2004
- Clearing Instruments
- Areas Approved to Clear
- Cadastre for labelling

* Project Data. This data has not been quality assured. Please contact map author for details.



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 Geocentric Datum Australia 1994
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 K Faulkner Date 5/7/12

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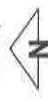
Plan 5015/1j



LEGEND

- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Cadastre for labelling
- Bunbury 50cm Orthomosaic - Landgate 2006

* Project Data. This data has not been quality assured. Please contact map author for details.



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Geocentric Datum Australia 1994

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woodland.

Sites 9 and 11: Swan

Site 10: Preston - fringing
woodland.

Site 10 is mapped as the Preston
Matiske Vegetation Class:

Woodland of *Eucalyptus rudis*-
Agonis flexuosa-*Banksia*
seminuda along streams, open
forest of *Corymbia calophylla*-
Eucalyptus patens on slopes in
the humid zone.

3. Assessment of application against clearing principles

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

The application to clear from the Shire of Capel will impact upper-storey trees only. The purpose of the clearing is to create a 10m, non-flammable buffer around wooded road bridge infrastructure, to protect against the threat of fire. The bridges are located at the following sites: 1. Ludlow North Road, 2. Tuart Drive Road, 3. Capel-Tutanup Road, 4. Cable Mine Road, 5. Yearly Road, 6. Nicholls Road, 7. Elgin Road, 8. Hurst Road, 9. Gwindinup Road and 10. Dardanup Road. The total amount of proposed clearing is approximately 0.71ha.

The application areas are not likely to comprise of a high level of biodiversity. Sites 2-8 and 10 are in a degraded (Keighery, 1994) condition with either no native groundcover or understorey present, only weeds. Sites 5 and 8 have some native groundcover but weeds dominate. Site 1 is in a degraded to completely degraded (Keighery, 1994) condition with weeds, whilst site 9 is in a good to degraded (Keighery, 1994) condition with some native groundcover and under-storey species amongst weeds (DEC, 2012).

A site inspection conducted 1 June 2012 identified evidence (scats) of Western Ringtail Possum (WRP) (*Pseudocheirus occidentalis*) amongst *Agonis flexuosa* trees at sites 1, 2, 7, 8 and 9. This species of fauna is listed as rare or is likely to become extinct under the Western Australian Wildlife Conservation Act 1950 and Vulnerable under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. *Agonis flexuosa* trees are the preferred habitat tree species for WRP (DEC, 2012).

The WRP population at site 7 is likely to be more impacted by the proposed clearing as no other suitable habitat trees occur beyond the clearing area. While they may utilise *Melaleuca raphiophylla* trees as habitat, these are not the preferred habitat tree species (DEC, 2012).

Fauna management practices will ensure no WRP are harmed during any proposed clearing.

Site 10 is within a Vulnerable listed Threatened Ecological Community (TEC), SCP1b 'Eucalyptus calophylla woodlands on heavy soils of the southern Swan Coastal Plain'. However, it is unlikely the remaining degraded vegetation is likely to be necessary for the maintenance of the TEC and so the proposed clearing should not impact upon the remainder of the community (DEC, 2012).

Sites 1 and 2 are adjacent to Ludlow State Forest. The disturbance caused by the proposed clearing will increase the risk of weeds and dieback spreading into the adjacent reserve. Weed and dieback management practices will assist in mitigating this risk.

The vegetation under application at each site is associated with riparian vegetation and some sites are also associated with palusplain, multiple use wetland areas. Therefore the clearing as applied for is at variance to principle (f). However, given the degraded condition of the sites and small amount of clearing proposed at each site, the clearing should not impact the riparian or wetland communities.

The proposed clearing is at variance to principles (b) and (f), may be at variance to principle (d) and (h), and is not likely to be at variance to the remaining clearing principles.

Methodology

References
- DEC (2012)

GIS database
- DEC Tenure - DEC
- Heddle, et al (1980)
- Pre-European Vegetation
- SAC Biodatsets (Accessed June 2012)

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

Comments

No public submissions have been received.

The applicant advised the clearing application has been made based upon Recommendation 30 of the Mick Keely report into the Perth Hills bushfires. This document refers to Main Roads Western Australia (MRWA) guidelines which requires a 10 metre wide cleared area around timber bridge structures be established and maintained for fire hazard reduction (MRWA, 2010). MRWA's Timber Bridge Preventive Maintenance Standards requires the control of all vegetation under the bridge and within the road reserve, with the controlled area extending 10 metres beyond the kerb line on both sides of the bridge, which is especially relevant for minimising bridge damage during bushfires. All vegetation within the control area is to be mowed or pruned to a height of not more than 100 mm above ground surface.

A licence 'to interfere with bed and banks', administered by the Department of Water, is not required. The retention of tree stumps and root system will still assist in stabilising the watercourse bank and soil profile within the clearing zone.

Methodology MRWA (2010)

4. References

- DEC (2012) Site Inspection Report for Clearing Permit Application CPS 5015/1, Shire of Capel. Site inspection undertaken 1 June 2012. Department of Environment and Conservation, Western Australia (DEC Ref. A517056).
- Government of Western Australia (2011); 2011 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). WA Department of Environment and Conservation, Perth.
- Hedde, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, Western Australia.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- MRWA (2010) Main Roads Western Australia, Timber Bridge Preventive Maintenance Standards
- 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)