



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 5290/1
<b>Permit Holder:</b>	Dunsborough and Districts Country Club Inc.
<b>Duration of Permit:</b>	17 August 2013 – 17 August 2018

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 creating mountain bike trails.

**2. Land on which clearing is to be done**

Lot 265 on Deposited Plan 218286 (Reserve 34894), DUNSBOROUGH  
Lot 342 on Deposited Plan 40822 (Reserve 46744), DUNSBOROUGH

**3. Area of Clearing**

The Permit Holder must not clear more than 0.39 hectares of native vegetation within the area hatched yellow on attached Plan 5290/1.

**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. 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

**6. 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.

**7. Dieback and weed control**

(a) 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*:

- clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- shall only move soils in *dry conditions*;

- (iii) ensure that no *dieback* or *weed*-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) 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.

### **PART III - RECORD KEEPING AND REPORTING**

#### **8. Records must be kept**

The Permit Holder must maintain the following records in relation to the clearing of native vegetation authorised under this Permit:

- (a) 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;
- (b) the date that the area was cleared; and
- (c) the size of the area cleared (in hectares).

#### **9. 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 8 of this Permit; and
  - (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year.
- (a) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 30 June of each year.
- (c) Prior to 17 May 2018, the Permit Holder must provide to the CEO a written report of records required under condition 8 of this Permit where these records have not already been provided under condition 9(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;

***dry conditions*** means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

***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 any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in the Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.

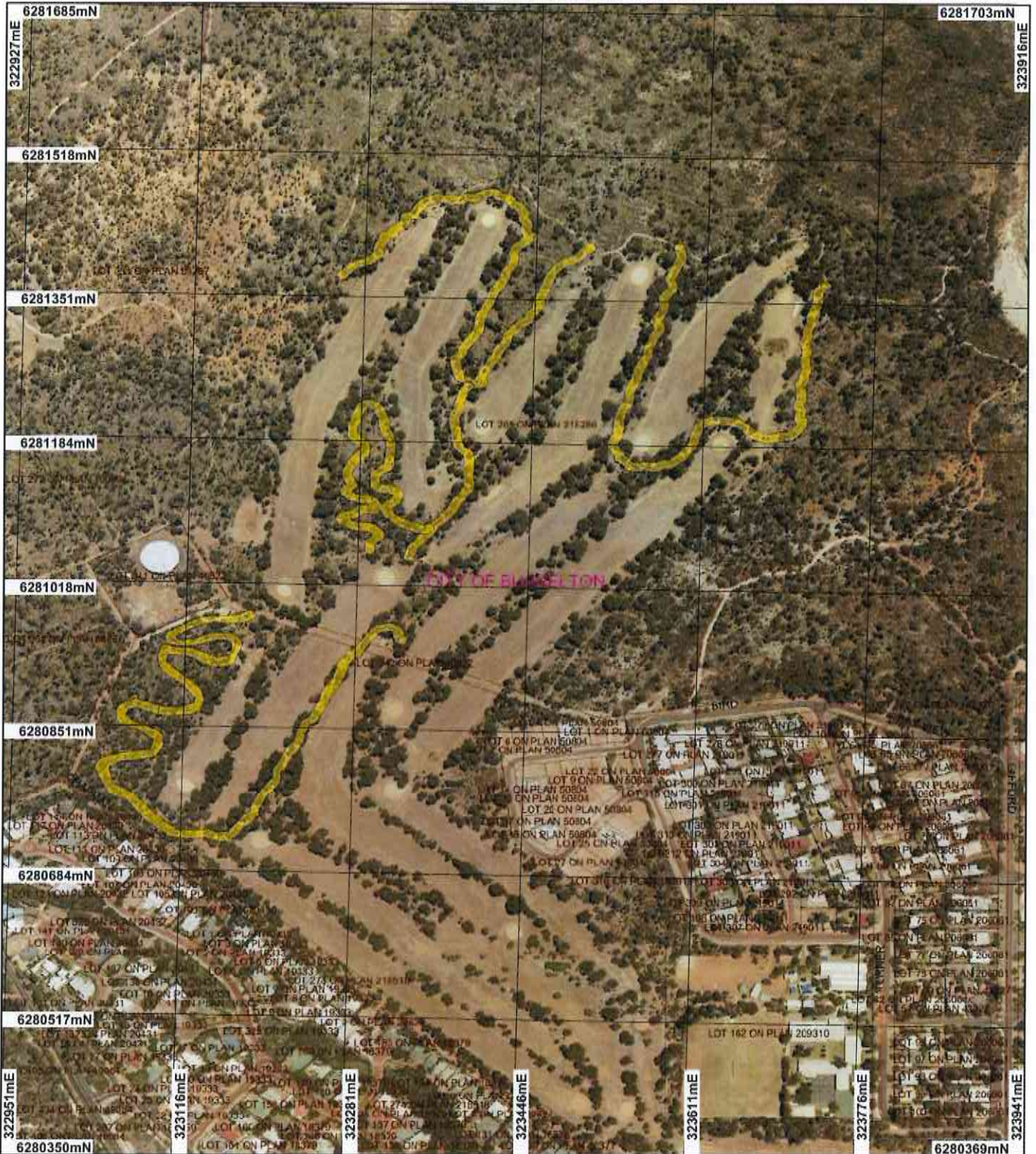


Belinda Walker  
A/MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

18 July 2013

# Plan 5290/1



**LEGEND**

<input type="checkbox"/> Local Government Authorities	<input type="checkbox"/> Crown Reserve	<input type="checkbox"/> Public Roads
<input checked="" type="checkbox"/> Road Centrelines	<input type="checkbox"/> State Forest / Timber Reserve	<input type="checkbox"/> Unallocated Crown Land
<input type="checkbox"/> Cadastre for labelling	<input type="checkbox"/> Marine Park	<input type="checkbox"/> Water
<input type="checkbox"/> Freehold (cont)	<input type="checkbox"/> Crown Lease	<input type="checkbox"/> Clearing Instruments
	<input type="checkbox"/> Lease / Reserve	<input checked="" type="checkbox"/> Areas Approved to Clear
	<input type="checkbox"/> Lease on State Forest / Timber Reserve (cont)	

**Busselton Townsite 20cm Orthomosaic - Landgate 2008**

Scale 1:5865  
(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.

B. Walker Date 18/7/13

B. Walker  
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.

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Department of Environment Regulations  
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\* Project Data. 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.: 5290/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Dunsborough and Districts Country Club Inc

### 1.3. Property details

Property: LOT 265 ON PLAN 218286 (House No. 40 GIFFORD DUNSBOROUGH 6281)  
Local Government Area: City of Busselton  
Colloquial name:

### 1.4. Application

Clearing Area (ha) 0.39      No. Trees      Method of Clearing Mechanical Removal      For the purpose of: Recreation

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 18 July 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 1000 is described as Mosaic: Medium forest; jarrah-marri / Low woodland; banksia / Low forest; teatree (Melaleuca Spp.) (Shepherd et al. 2001).	The proposed clearing of 0.36 hectares of native vegetation is for the purpose of creating mountain biking trails. This proposed development will be carried out in two stages.  Stage one of the application area consists of 10 vegetation types.	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994)  To	Condition and description of the application area within stage one and two was established through flora surveys undertaken by Eco Logic in October 2011 and December 2012 (Eco Logic 2011, 2012) and through a site visit undertaken by Department of Environment and Conservation officers in November 2012 (DEC 2012).
Mattiske vegetation complex Wr - Woodland of Corymbia calophylla-Eucalyptus marginata subsp. marginata with closed heath of Myrtaceae-Proteaceae-Papilionaceae spp. on steep rocky slopes in the hyperhumid zone (Shepherd et al. 2001).	Stage one area generally consists of open forest of woodland of Corymbia calophylla, open forest of Corymbia calophylla and Eucalyptus marginata and open forest of Corymbia calophylla over a woodland of Agonis flexuosa over shrubland of Banksia grandis.  The majority of the vegetation ranges from good to excellent (Keighery 1994) condition.  Small sections also exist in degraded (Keighery 1994) condition (Eco Logic 2011).  Stage two of the application area consists of areas of open forest of Jarrah and Marri over Xanthorrhoea preissi and open forest of Jarrah and Marri with scattered Agonis flexuosa all in excellent to good (Keighery 1994) condition (DEC 2012, Eco Logic 2012).	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	

### 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 0.36 hectares of native vegetation is for the purpose of creating mountain biking trails. This proposed development will be carried out in two stages. Stage one of the application area consists of 10 vegetation types and consists predominately of open forest *Corymbia calophylla* woodland, open forest of *Corymbia calophylla* and *Eucalyptus marginata* and open forest of *Corymbia calophylla* over a woodland of *Agonis flexuosa* over shrubland of *Banksia grandis*. The majority of this area is in good to excellent (Keighery 1994) condition (Eco Logic 2011).

Stage two of the application area consists of areas of Jarrah and Marri forest and Jarrah and Marri forest with scattered *Agonis flexuosa* all in excellent to good (Keighery 1994) condition (DEC 2012, Eco Logic 2011, 2012).

A dieback assessment has been carried out over the application area and indicated that dieback is present in the majority of the proposed clearing area (Dieback Treatment Services 2012). A condition of development approval from the City of Busselton is for the applicant to develop a dieback management plan prior to the construction of the bike trails.

A total of 92 flora species were recorded within stage one of the application area during late October 2011 (Eco Logic 2011). It is considered that the flora survey undertaken is not adequate as DEC quadrates of the same size in the same vegetation, adjacent to Lot 265, recorded four times as many species (between 69 to 84 species) (DEC 2012). This survey did not identify any rare or priority flora species within stage one of the application area (Eco Logic 2011). A site inspection of stage one undertaken in November 2012 identified populations of two priority flora species that was not identified during the flora survey (DEC 2012). The proposed limited clearing in this area is not considered to significantly impact these populations.

The proposed clearing may be at variance to this Principle.

**Methodology**      References  
-Eco Logic (2011)  
-Eco Logic (2012)  
-DEC (2012)  
-Keighery (1994)  
-Dieback Treatment Services (2012)  
GIS databases  
-Sac Bio datasets (25 October 2012)

#### (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**

Numerous fauna species of conservation significance have been recorded within the local area (10 kilometre radius) including the Western Ringtail Possum (*Pseudocheirus occidentalis*) and black cockatoo species (*Calyptorhynchus latirostris*, *Calyptorhynchus baudinii* and *Calyptorhynchus banksii* subsp. *naso*) (DEC 2007-).

The applicant has advised that no trees will be removed during the proposed clearing (Dunsborough and Districts Country Club 2012).

Given the relatively small size of the proposed clearing (0.36 hectares) and that no trees will be cleared, it is considered unlikely for the proposed clearing to consist of significant habitat for fauna. Therefore, the proposed clearing is not likely to be at variance to this Principle.

**Methodology**      References  
-DEC (2007-)  
-Dunsborough and Districts Country Club (2012)

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

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

Seven rare orchid species have been recorded within the local area (10 kilometre radius).

A site inspection (DEC 2012) and flora surveys (Eco Logic 2011, 2012) identified the majority of the application area as being in an excellent (Keighery 1994) condition. However, no rare flora was identified.

In addition, the majority of these orchid species occur in association with granitic outcrops that have been removed from the application.

Therefore, the proposed clearing is not likely to be at variance to this Principle.

- Methodology** References  
 - DEC (2012)  
 -Eco Logic (2011)  
 -Eco Logic (2012)  
 -Keighery (1994)  
 GIS databases  
 -Sac Bio datasets (25 October 2012)

**(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**  
 A threatened ecological community (TEC) (Meelep Granites - Calothamnus graniticus heaths on southwest coastal granite) occurs approximately 100 meters north of the northern section of the application area.  
 The proposed clearing within the northern portion occurs within the buffer to this TEC. However the proposed clearing avoids granite outcrop vegetation that is upslope to this occurrence of TEC.  
 Therefore, the proposed clearing is not likely to be at variance to this principle.  
 Weed and dieback mitigation measures will minimise any potential impact to the TEC

- Methodology** GIS Databases  
 -Sac Bio datasets (25 October 2012)

**(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 may be at variance to this Principle**  
 The proposed clearing is mapped as Beard vegetation association 1000 and Matiske vegetation complex Wr which have approximately 27 per cent and 81 per cent pre- European vegetation extent remaining, respectively (Government of Australia 2011, Shepherd 2007).  
 The Beard vegetation association recorded within the application area retains less than the threshold level (30 per cent) of pre-European vegetation extent recommended in the National Objectives Targets for Biodiversity Conservation, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia 2001).  
 In addition, the majority of the application area occurs in excellent (Keighery 1994) condition. Vegetation on Lot 265 has also been identified as part of a core regional ecological linkage (Molley et al. 2009).  
 Therefore, the proposed clearing may impact on a significant remnant of native vegetation. The application area occurs within an extensively cleared landscape with approximately 25 per cent of remnant vegetation remains in the local area (10 kilometre radius).  
 However, given the limited clearing over a long and linear area (0.36 hectares) and that trees will be avoided, impact to this significant remnant is considered minor. Therefore, the proposed clearing may be at variance to this Principle.

	Pre-European (ha)	Current Extent (ha)	Remaining (%)
IBRA Bioregion*			
Swan Coastal Plain	1,501,209.20	587,832.98	39.16
Shire*			
City of Busselton	146,478.10	62,298.13	42.53
Beard Vegetation Association in Bioregion*			
1000	94,175.31	25,172.12	26.73
Matiske Vegetation Complex **			
Wr	409.80	332.41	81.11

- Methodology** References  
 -Commonwealth of Australia (2001)

-Government of Australia (2013)  
-Molloy et al. (2009)  
-Keighery (1994)  
GIS Databases  
-Pre-European Vegetation  
-NWLRA, extent of vegetation  
-Sac Bio Datasets (25 October 2012)

**(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 likely to be at variance to this Principle**

The applied area is 100 meters from two minor perennial watercourses and is 160 meters west of the coast. No wetlands occur within close proximity and no riparian vegetation was identified in flora survey or site visit (Eco Logic 2011 2012, DEC 2012).

Therefore, the proposed clearing is not likely to be at variance to this Principle.

**Methodology** References  
-Eco Logic (2011)  
-Eco Logic (2012)  
-DEC (2012)  
GIS Databases  
-Hydrography, linear

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

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

The proposed clearing of 0.36 hectares is for the purpose of bike tracks.

The soils of the applied area are identified by Northcote et al. (1960-68) as calcareous sands (Uc1.11) on the strongly undulating slopes of the dunes. Associated are small areas of other soils including (Uc6.12) on limestone and (Dr2.61) on gneissic outcrops. The above soils are highly susceptible to wind and water erosion.

Given that the proposed clearing is small (0.36 hectares) and is spread along a long and linear area, it is not considered for it to cause appreciable land degradation in the form of erosion.

**Methodology** References  
-Northcote et al. (1960-68)  
GIS Databases  
-Soils, statewide

**(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 may be at variance to this Principle**

The application area is surrounded by and connected through continuous vegetation to Meelup Regional Park which is vested for the purpose of conservation and recreation.

The proposed clearing is likely to increase the spread of weeds and dieback into this conservation area by reducing the buffer to this area.

Therefore, the proposed clearing may impact the environmental values of an adjacent conservation area and may be at variance to this principle. Weed and dieback management measures will minimise the potential impact to Meelup Regional Park

**Methodology** GIS Databases  
- Cadastre  
- DEC Managed Lands

**(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 likely to be at variance to this Principle**

The applied area is 100 meters from two minor perennial watercourses and is 160 meters west of the coast. No wetlands occur within close proximity and no riparian vegetation was identified in flora survey or site visit (Eco Logic 2011 2012, DEC 2012).

Therefore, the proposed clearing is not likely to impact on surface water

The application is located within an area which has a low salinity risk. Given this and the small scale of the proposed clearing, it is not considered for the clearing to impact on groundwater.

Therefore, the proposed clearing is not likely to be at variance to this Principle.

**Methodology**   References  
-Eco Logic (2011)  
-Eco Logic (2012)  
-DEC (2012)  
GIS Databases  
-Hydrography, linear

**(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 likely to be at variance to this Principle**  
The applied area is 100 meters from two minor perennial watercourses and is 160 meters west of the coast. No wetlands occur within close proximity and no riparian vegetation was identified in flora survey or site visit (Eco Logic 2011, DEC 2012).  
  
The applicant has advised that no trees will be removed during the proposed clearing (Dunsborough and Districts Country Club 2012).  
  
Given the small size of the proposed clearing (0.36 hectares) and that no large trees are to be removed, the proposed clearing is not likely to cause or exacerbate flooding.  
  
The proposed clearing is not likely to be at variance to this Principle

**Methodology**   References  
-Eco Logic (2011)  
-Eco Logic (2012)  
-DEC (2012)  
- Dunsborough and Districts Country Club (2012)  
GIS Databases  
-Hydrography, linear

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

**Comments**  
The proposed clearing of 0.36 hectares of native vegetation is for the purpose of creating mountain biking trails. This proposed development will be carried out in two stages.  
  
The applicant was sent a letter dated 29 November 2012 outlining biodiversity issues with the application, requested for a flora survey of stage two of the proposed clearing and outlined that development approval for stage two is outstanding and is a relevant matter. A flora survey of stage two was received on the 26 December 2012. The applicant also advised that they wish to modify the clearing area to remove the northern portion of stage two. This area impacted on rare flora habitat, a threatened ecological community and an area of high biodiversity.  
  
Stage one of the proposed clearing received development approval from the City of Busselton on the 15 November 2012 (DA12/0174). A condition of the development approval requests a Dieback Management Plan to be provided to the City of Busselton prior to development of the bike trails.  
  
Stage two of the proposed clearing received development approval from the City of Busselton on the 17 June 2013.  
  
A MTB Trails Master Plan (Dunsborough and District Country Club 2012) has been developed for the proposed new bike trails. Primary objectives of the plan were to construct new trails that are to a high standard, low maintenance, safe and sustainable and that is in harmony with the natural surroundings. Secondary objectives include closing and rehabilitating illegally built or unsustainable trails located in environmentally sensitive areas. The Master Plan also states that the trails have been designed to avoid the removal of any trees and that the majority of the proposed clearing will be undertaken by hand slashing (Dunsborough and District Country Club 2012).  
  
A site inspection of the application area identified that soil has been introduced into some of the existing bike trails on the property in an upland bushland area of steep slopes to create jumps and berms. This is not



consistent with the recommendations of the dieback report provided with the application and is also a significant weed risk to the surrounding vegetation (DEC 2012). The applicant was advised to stop all movement of soil on the 29 November 2012.

**Methodology**      The area under application is zoned Recreation under the City of Busselton's Town Planning Scheme.  
References  
-DEC (2012)  
- Dunsborough and District Country Club (2012)  
GIS Databases  
-Town Planning Scheme Zones

#### **4. References**

City of Busselton (2012) Direct Interest Submission for CPS 5290/1 -Dunsborough and Districts Country Club inc. DEC ref A567789

Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.

DEC (2012) Site Inspection Report and Regional advice for Clearing Permit Application CPS 5290/1. Site inspection undertaken 2 /11/2012. Department of Environment and Conservation, Western Australia (DEC ref A570464 and A570467).

Dieback Treatment Services (2012) Phytophthora dieback assessment for bushland around the old Dunsborough Golf Course. April 2012. DEC ref A550953

Dunsborough and District Country Club (2012) MTB Trails Master Plan. DEC ref A550953

Eco Logic (2011) Level 2 Flora and Vegetation Assessment, Proposed Mountain Bike Track Extension, Dunsborough and Districts Country Club. prepared for Dunsborough and Districts Country Club MTB Trail. Eco Logic Environmental Services Pty Ltd. DEC ref A550953

Eco Logic (2012) Level 2 Flora and Vegetation Assessment, Proposed Mountain Bike Track Extension, Dunsborough and Districts Country Club. prepared for Dunsborough and Districts Country Club MTB Trail. Eco Logic Environmental Services Pty Ltd. DEC ref A585156

Government of Western Australia. (2013). 2012 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2012. WA Department of Environment and Conservation, Perth.

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Molloy, S., Wood, J., Hall, S., Wallrodt, S. and Whisson, G. (2009) South West Regional Ecological Linkages Technical Report, Western Australian Local Government Association and Department of Environment and Conservation, Perth.

Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.