



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5324/1
Permit Holder:	Shire of Capel
Duration of Permit:	18 January 2013 – 18 January 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 road widening, culvert replacement and drainage works.

2. Land on which clearing is to be done

Boundary Road reserve (Boyanup 6237) (PIN 11609502)

Hutton Road reserve (Capel 6271) (PIN 11434440)

Layman Road reserve (Capel 6271) (PIN 11434465)

Ludlow Road reserve (Forrest Beach 6271) (PIN 11380954 and PIN 11380967)

3. Area of Clearing

The Permit Holder must not clear more than 0.1071 hectares of native vegetation within the combined areas hatched yellow on attached Plan 5324/1a, 5324/1b, 5324/1c and 5324/1d.

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; and
- (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) shall only move soils in *dry conditions*;
- (c) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

9. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the area within Plan 5324/1a shall be inspected by a *fauna specialist*, in accordance with *Guidance Statement No 56* for the presence of Western Ringtail Possums (*Pseudocheirus occidentalis*).
- (b) 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(a).

PART III - RECORD KEEPING AND REPORTING

10. Records must be kept

The Permit Holder must maintain the following record in relation to fauna management pursuant to condition 9 of this Permit. The location and date where relocated fauna was released, 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.

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 to 31 December of the preceding calendar year.
- (b) If no clearing authorised under this Permit was undertaken 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.
- (c) Prior to 18 October 2017, 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;

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

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; and

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

Guidance Statement No 56 means Guidance for the Assessment of Environmental Factors: Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia. Guidance Statement No 56, Environmental Protection Authority (2004).

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; and

weed/s means any plant -

- (a) that is declared under section 37 of the Agriculture and Related Resources Protection Act 1976; or
- (b) published in the Department of Environment and Conservation's Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.

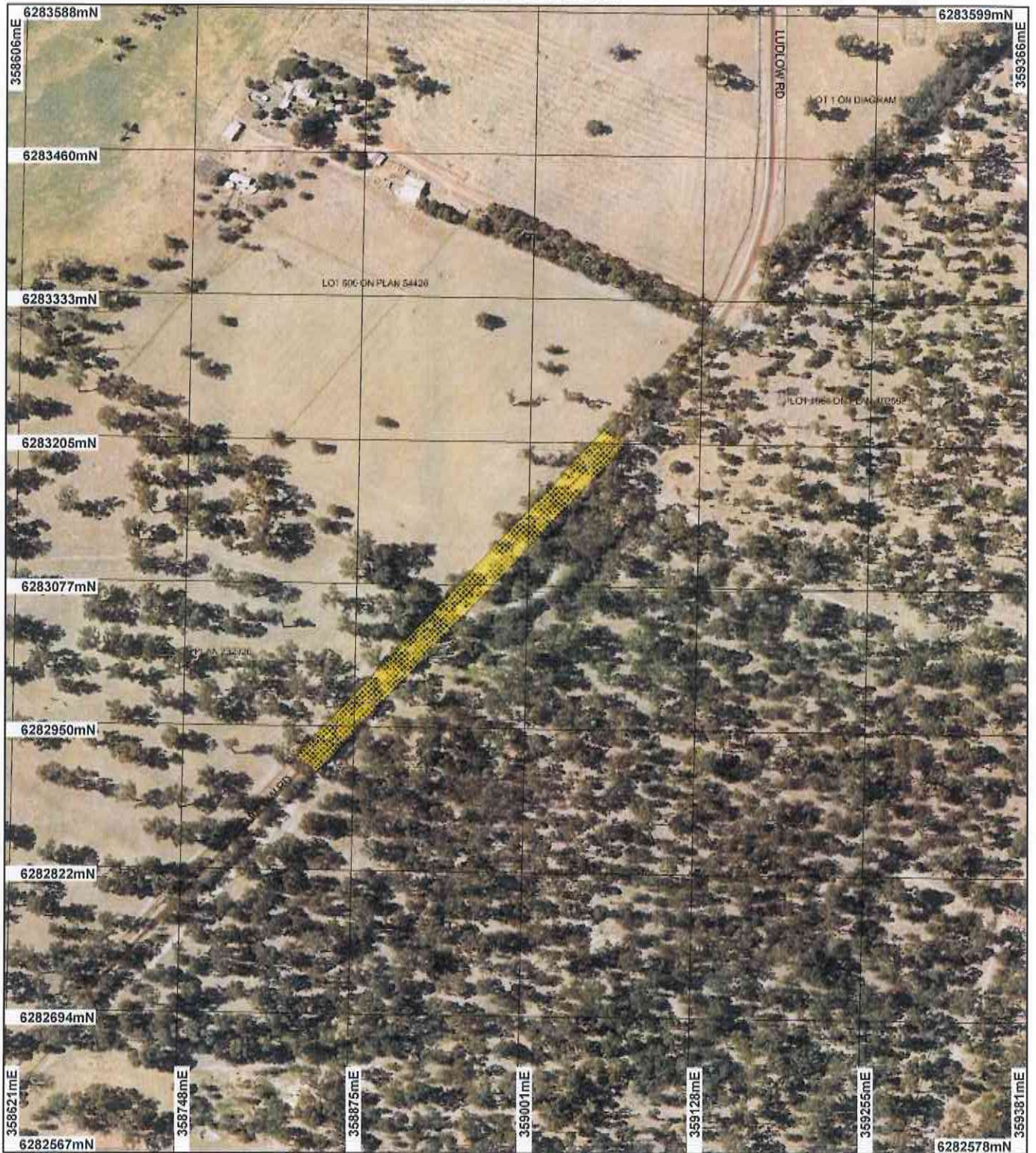


M Warnock
A/MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

27 December 2012

Plan 5324/1a



LEGEND

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



0 ————— 125 m

Scale 1:4500

(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 27/12/12

M Warnock
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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Plan 5324/1b



LEGEND

-  Road Centralines
-  Clearing Instruments
-  Areas Approved to Clear
-  Cadastre for labelling



0 50 m

Scale 1:2000

(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 *27/12/12*

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

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Plan 5324/1c



LEGEND

- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Cadastre for labelling

Donnybrook 50cm
Orthomosaic - Landgate
2004



Scale 1:2000

(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 Warneck Date 27/12/12

M Warneck

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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Plan 5324/1d



LEGEND

-  Road Centrelines
-  Clearing Instruments
-  Areas Approved to Clear
-  Cadastre for labelling
-  Bunbury 50cm Orthomosaic - Landgate 2008



Scale 1:2000
(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 27/12/12

M Warnock

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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1. Application details

1.1. Permit application details

Permit application No.: 5324/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Shire of Capel

1.3. Property details

Property: ROAD RESERVE (BOYANUP 6237)
ROAD RESERVE (FORREST BEACH 6271)
ROAD RESERVE (FORREST BEACH 6271)
ROAD RESERVE (CAPEL 6271)
ROAD RESERVE (CAPEL 6271)
Local Government Area: Shire of Capel
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.107		Mechanical Removal	Road construction or maintenance

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 27 December 2012

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 (<i>Melaleuca</i> Spp.) (Hutton Road reserve) (Shepherd et al 2001).	The application is for the proposed clearing of 0.1071 ha within Boundary Road reserve, Boyanup, Hutton Road reserve and Layman Road reserve, Capel and Ludlow Road reserve, Forest Beach, for the purpose of road widening.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The vegetation condition and description was determined from photographs supplied by aerial photography and site visit by Department of Environment and Conservation officers on the 6 December 2012 (DEC 2012).
Mapped Beard vegetation association 1182 is described as Medium woodland; <i>Eucalyptus rudis</i> & <i>Melaleuca raphiophylla</i> (Layman Road) (Shepherd et al 2001).	The proposed clearing within Hutton Road reserve will remove 5 trees consisting of <i>Eucalyptus</i> sp. and <i>Acacia</i> sp. (Shire of Capel 2012). The vegetation is in a degraded (Keighery 1994) condition within an overstorey of <i>Eucalyptus rudis</i> and some <i>Viminara juncea</i> plants (DEC 2012).		
Mapped Beard vegetation association 2 is described as Tall woodland; tuart (<i>E. gomphocephala</i>) (Layman Road) (Shepherd et al 2001).			
Mapped Beard vegetation association 968 is described as Medium woodland; jarrah, marri & wandoo (Boundary Road) (Shepherd et al 2001).	The proposed clearing within Boundary Road reserve will remove 14 trees consisting of <i>Eucalyptus</i> sp. (Shire of Capel). The vegetation is in a degraded (Keighery 1994) condition with the predominant native species consisting of <i>Corymbia calophylla</i> and <i>Xanthorrhoea preissii</i> with weedy groundcover (DEC 2012).		
Hedde vegetation complex Swan Complex is described as: Fringing woodland of <i>Eucalyptus rudis</i> (Flooded Gum) - <i>Melaleuca raphiophylla</i> (Swamp Paperbark) with localised occurrence of low open forest of <i>Casuarina obesa</i> (Swamp Sheoak) and <i>Melaleuca cuticularis</i> (Saltwater Paperbark). (Layman Road) (Hedde 1980).	The proposed clearing within Layman Road reserve will remove 5 trees consisting of <i>Eucalyptus</i> sp. The vegetation within the application area is in a degraded (Keighery 1994) condition (DEC 2012)		
Hedde vegetation complex Southern River Complex is described as: Open woodland of <i>Corymbia calophylla</i> (Marri) - <i>Eucalyptus marginata</i>			

(Jarrah) - *Banksia* species with fringing woodland of *Eucalyptus rudis* (Flooded Gum) - *Melaleuca raphiophylla* (Swamp Paperbark) along creek beds (Hutton Road) (Hedde 1980).

Hedde vegetation complex Guildford Complex is described as: A mixture of open forest to tall open forest of *Corymbia calophylla* (Marri) - *Eucalyptus wandoo* (Wandoo) - *Eucalyptus marginata* (Jarrah) and woodland of *Eucalyptus wandoo* (Wandoo) (with rare occurrences of *Eucalyptus lane-poolei* (Salmon White Gum)). Minor components include *Eucalyptus rudis* (Flooded Gum) - *Melaleuca raphiophylla* (Swamp Paperbark) (Boundary road) (Hedde 1980).

Mattiske vegetation complex Lw is described as Open woodland of *Melaleuca raphiophylla* and sedgelands of *Cyperaceae*-*Restionaceae* spp. on broad depressions in the subhumid zone (Ludlow Road reserve) (Mattiske 1998).

The proposed clearing within Ludlow Road reserve proposed to remove 4 trees. The vegetation is in a degraded (Keighery 1994) condition and consists predominantly of *Agonis flexuosa* trees and some *Eucalyptus gomphocephala* trees (DEC 2012).

3. Assessment of application against clearing principles

Comments

The application is to clear up to 0.1071 hectares (ha) of native vegetation for the purposes of road widening, culvert replacement and drainage works. The vegetation is considered to be in a degraded (Keighery, 1994) condition and consists of *Eucalyptus* sp., *Acacia* sp. (Shire of Capel 2012) and *Agonis flexuosa* (DEC 2012).

Given the clearing consists of 0.1071 ha within a larger footprint (11.08 ha) within four road reserves, it is unlikely that the proposed clearing will impact vegetation of high biodiversity, cause or exacerbate land degradation or flooding. There are no threatened ecological communities within the vicinity of the project.

There are numerous priority flora and rare flora species recorded within the local area (10 kilometre radius) on similar soil and vegetation types as the applied area, however the areas under application are collectively relatively small (0.1071 ha) within a larger footprint (11.08 ha) and in a degraded (Keighery 1994) condition (DEC 2012). Therefore, it is not likely that the proposed clearing will include habitat for these species.

Numerous fauna species listed as rare or likely to become extinct under the Wildlife Conservation Act 1950 have been recorded within the local area (DEC 2007-). Given the small size of the application area and its degraded (Keighery 1994) condition it is unlikely the clearing as proposed will contain significant habitat for fauna within Layman Road, Hutton Road and Boundary Road reserves. The application area within Ludlow Road reserve consists of predominately of *Agonis flexuosa* and *Eucalyptus gomphocephala*. The *Agonis flexuosa* may provide habitat for the Western Ringtail Possum (*Pseudocheirus occidentalis*). The removal of any *Agonis flexuosa* is undesirable and pruning should be considered as an alternative to clearing in order to retain vegetation linkage for possum movement through the area (DEC 2012). The clearing as proposed within Ludlow Road reserve may be at variance to Principle (b). Fauna management practices will help minimise impacts to this species.

The areas under application are mapped as Beard Vegetation Associations 2, 968, 1000 and 1182 (Government of Western Australia 2011). These vegetation associations have approximately 60, 7, 27 and 12 percent of their pre-European extent remaining within the Swan Coastal Plain bioregion respectively (Government of Western Australia 2011).

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 percent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia 2001).

Vegetation associations 968, 1000 and 1182 all retain less than the national recommended levels however, given the relatively small area involved, and the degraded (Keighery 1994) condition, they are not regarded as significant remnants.

A multiple use wetland is mapped within the application area within Layman Road reserve and Boundary Road reserve, a minor watercourse intersects the application within Layman Road reserve. Riparian vegetation has been identified within the application area (DEC 2012). The vegetation proposed to be cleared may contain vegetation growing in association with an environment associated with a watercourse or wetland, therefore the clearing as proposed may be at variance to Principle (f).

The clearing as proposed may cause deterioration in the quality of surface water to the wetlands and minor watercourse located within the application area, however these impacts are likely to be short term and localised.

The proposed clearing within Ludlow Road reserve is adjacent to Ludlow State Forest. The proposed clearing

may indirectly impact the environmental values of this conservation area through the introduction or spread of weed and dieback. Therefore, the proposed clearing may be at variance to Principle (h). Weed and Dieback management practices will reduce this identified impact.

The assessment of the application identified that the clearing may be at variance to Principles (b), (f) and (h) and is not likely to be at variance to any of the remaining clearing principles.

Methodology **References:**
- DEC (2007-)
- DEC (2012)
-Government of Western Australia (2011)
-Keighery (1994)

GIS Databases:
-DEC Tenure
-Geomorphic Wetlands (Mgt Categories), Swan Coastal Plain
-Hydrology, linear
-SAC Biodata sets - accessed 3 December 2012

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

Comments

The application is to clear up to 0.1071 hectares of native vegetation for the purpose of road widening, culvert replacement and drainage works.

The application area is located within the Capel River System and the Busselton Capel Groundwater area proclaimed under the Rights in Water and Irrigation Act 1914. The interference with bed and/or banks of any watercourse may require a licence from the Department of Water.

A public submission was received for this application raising concerns regarding significant fauna habitat within Ludlow Road for Western Ringtail Possums. Impacts to significant fauna habitat have been addressed in the assessment.

Methodology **References:**
Submission (2012)

4. References

- DEC (2007 -) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed 3 December 2012
- DEC (2012) Site Inspection Report for Clearing Permit Application CPS 5324/1, Boundary Road reserve (PIN 11609502), Boyanup, Hutton Road reserve (PIN 11434440) and Layman Road reserve (PIN 11434465), Capel and Ludlow Road reserve (PIN 11380954 and PIN 11380967), Forrest Beach. Site inspection undertaken 6 December 2012.
- 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. 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.
- Mattiske, E.M. and Havel, J.J. (1998) Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment 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.
- Submission (2012) Submission for CPS 5324/1 - Shire of Capel. Western Australia. (DEC Ref: A566179).

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)