



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 6149/1
<b>Permit Holder:</b>	Shire of Dardanup
<b>Duration of Permit:</b>	20 February 2016 – 20 February 2021

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 realignment.

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

Lot 501 on Deposited Plan 53623 (Reserve 46213), Wellington Forest  
Lot 502 on Deposited Plan 53623 (Reserve 46213), Wellington Forest  
Lot 503 on Deposited Plan 53623 (Reserve 46213), Wellington Forest  
Lot 3504 on Deposited Plan 56282 (Reserve 48049), Wellington Forest  
King Tree Road reserve (PIN 1315240, PIN 1315234 and PIN 11965337), Wellington Forest  
State Forest 25 (PIN 11440191), Wellington Forest

**3. Area of Clearing**

The Permit Holder must not clear more than three hectares of native vegetation within the area hatched yellow on attached Plan 6149/1.

**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. 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.

## PART II – MANAGEMENT CONDITIONS

### 7. 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.

### 8. Fauna Management

The permit holder shall ensure no clearing within 10 metres of the *black cockatoo habitat tree* identified at location 401940E, 6298474N occurs, unless first approved by the CEO.

## DEFINITIONS

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

*black cockatoo habitat tree/s*: means trees that have a diameter, measured at 1.5 metres from the base of the tree, of 50 centimetres or greater;

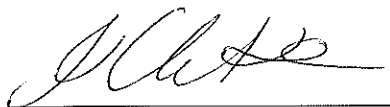
*dieback* means the effect of *Phytophthora* species on native vegetation;

*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 a Department of Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

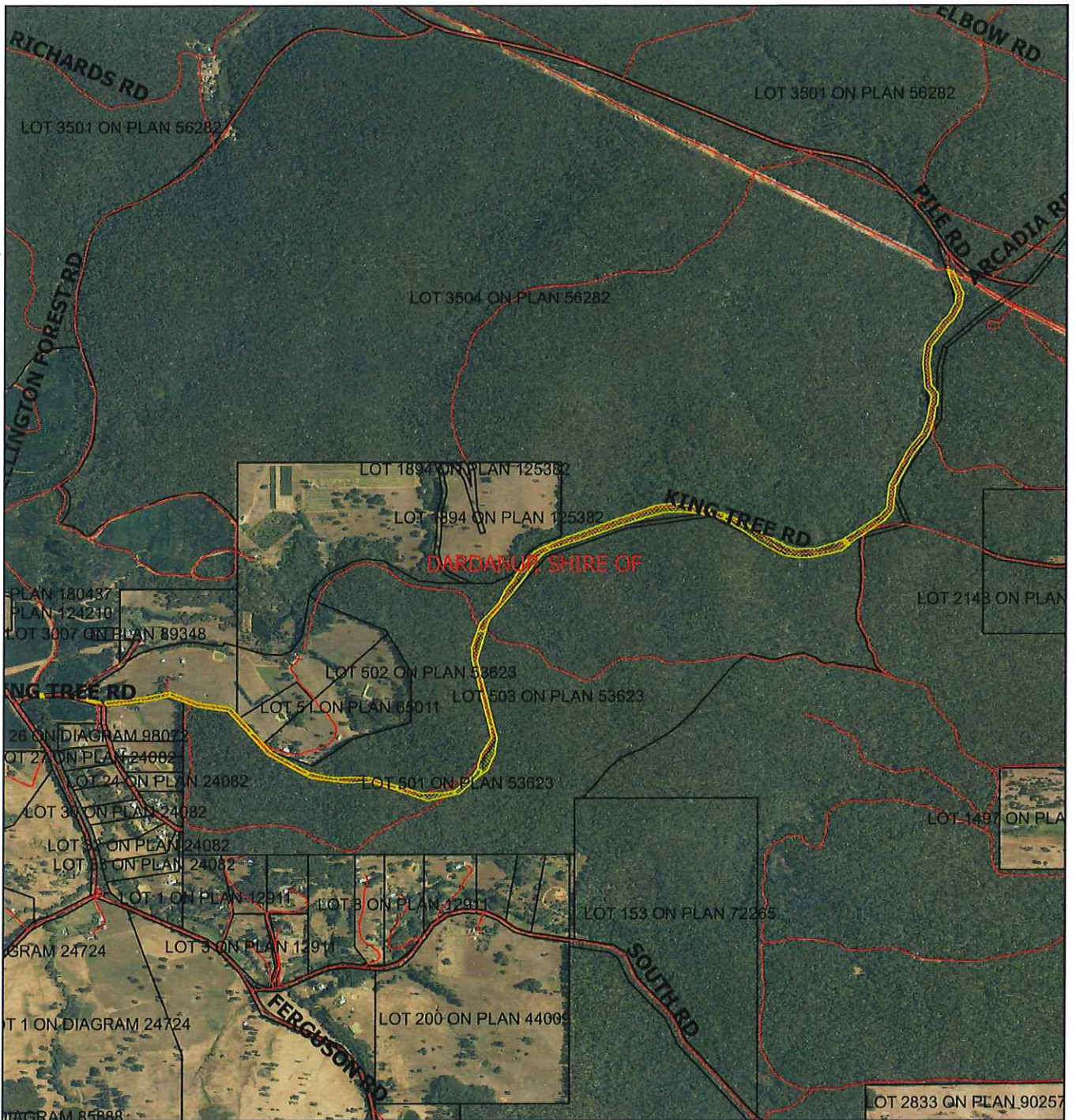


Jane Clarkson  
A/SENIOR MANAGER  
CLEARING REGULATION

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

21 January 2016

# Plan 6149/1



## Legend

- Roads
- LGA
- Cadastre
- Virtual Mosaic (LGATE-V001)
- Areas approved to clear



1:17,956

MGA 94  
Geocentric Datum of Australia 1994

*Jane Clarkson*  
Date 21/1/16  
Jane Clarkson

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



GOVERNMENT OF  
WESTERN AUSTRALIA



# Clearing Permit Decision Report

Government of Western Australia  
Department of Environment Regulation

## 1. Application details

### 1.1. Permit application details

Permit application No.: 6149/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Shire of Dardanup

### 1.3. Property details

Property: King Tree Road reserve  
Lot 501 on Deposited Plan 53623 (Reserve 46213), Wellington Forest  
Lot 502 on Deposited Plan 53623 (Reserve 46213), Wellington Forest  
Lot 503 on Deposited Plan 53623 (Reserve 46213), Wellington Forest  
Lot 3504 on Deposited Plan 56282 (Reserve 48049), Wellington Forest  
State Forest 25, Wellington Forest

Local Government Area: Shire of Dardanup

Colloquial name:

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 21 January 2016

#### Reasons for Decision

The clearing application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, and it has been concluded that the proposed clearing may be at variance to Principles (f) and (h) and not likely to be at variance to any of the remaining clearing principles.

Consideration in the decision to grant a clearing permit was given to the proximity of the application to the National Park and Wellington Discovery Forest and a condition placed on the permit to minimise the risk of the introduction and spread of weeds and dieback. The local area is highly vegetated and contains suitable fauna habitat in better condition than the application area. However one tree containing a large hollow showed evidence of use by black cockatoo and a condition placed on the permit requiring CEO of DER approval to clear within 10 metres of the tree.

The road upgrade is jointly funded by the State Black Spot Program and the Roads to Recovery Program. The Shire of Dardanup is working with the Conservation Commission and the Department of Parks and Wildlife in relation to the environmental impacts within the national park. These factors were also taken into consideration in the decision to grant a clearing permit.

## 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 1184: Medium woodland-fringing; jarrah, marri, Eucalyptus rudis and Agonis flexuosa (Shepherd et al. 2001). Mapped Heddle vegetation complex, Lowden Complex: Open forest of Corymbia	The application is to clear three hectares of native vegetation within King Tree Road reserve, Lots 501, 502 and 503 on Deposited Plan 53623 (Reserve 46213), Lot 3504 on Deposited Plan 56282 (Reserve	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The vegetation description was determined by aerial imagery.  The majority of the vegetation along the road reserve is comprised of a woodland containing various combinations of marri (Corymbia calophylla) and

calophylla-Eucalyptus marginata subsp. marginata-Agonis flexuosa with some Eucalyptus wandoo and occasional Corymbia haematoxylon on slopes, and woodland of Eucalyptus rudis-Melaleuca raphiophylla on valley floor in the humid zone (Hedde et al. 1980).

48049) and State Forest 25, Wellington Forest, for the purpose of road realignment and upgrade.

To  
Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994).

jarrah (Eucalyptus marginata) over a typically sparse midstorey of mainly banksia (Banksia grandis), peppermint (Agonis flexuosa) and snottygobble (Persoonia longifolia) over a tall shrubland/shrubland of various other species. Blackbutt (E. patens) is a subdominant tall tree in some locations. Flooded gum (E. rudis) is represented by a small number of specimens in low lying areas in the far western section of the survey areas (Harewood 2015).

Much of the area has been subject to historical logging and vegetation currently present is comprised of regrowth with relatively small trees dominating (Harewood 2015).

A small section of the road has been planted with non-endemic eucalypts in the far western section of the road. The Ferguson River crosses the road at its western end. Four smaller creek lines pass under the road at other locations along its length (Harewood 2015).

### 3. Assessment of application against clearing principles

#### Comments

The application is to clear three hectares of native vegetation within King Tree Road reserve, Lots 501, 502 and 503 on Deposited Plan 53623 (Reserve 46213), Lot 3504 on Deposited Plan 56282 (Reserve 48049) and State Forest 25, Wellington Forest, for the purpose of improving road conditions, drainage and sight distances.

The Department of Parks and Wildlife (2014) advised that the understory of a section of the application area had been heavily grazed by kangaroos. Whilst grazing pressures were expected to be less over the remainder of the application area it is unlikely to support any currently listed priority or rare flora. No priority of threatened ecological communities are mapped within the local area (10 kilometre radius).

The presence of *Agonis flexuosa* indicated potential habitat for the conservation significant western ringtail possum within the application area (Department of Parks and Wildlife 2014). Several trees within the application area were considered suitable for supporting roosting sites for conservation significant black cockatoo species and there was evidence of foraging by black cockatoos (Department of Parks and Wildlife 2014).

A western ringtail possum survey observed five western ringtail possums on the first night and seven individuals on the second night. Based on the location and observations of the western ringtail possums sighted represent at least nine unique individuals (Harewood 2015).

The black cockatoo habitat tree survey identified 550 trees within the survey area with a diameter at breast height (DBH) of more than 50 centimetres. Of these trees 21 were recorded as having potential hollows of a size possibly large enough for a black cockatoo to use for nesting (Harewood 2015). An additional survey undertaken within the application area checked all 21 trees potentially suitable for nesting by the black cockatoos. One marri tree contained a hollow which was well chewed and worn and is likely to be a black cockatoo breeding hollow used recently by a forest red-tailed black cockatoo. No fledglings were identified however observations showed it was likely to have been recently used (Kirby 2015). The remaining 20 trees did not show any signs of use and are unlikely to contain nesting hollows (Kirby 2015).

The application area is adjacent to Wellington National Park and Wellington Discovery Forest which have a combined vegetated area of more than 17000 hectares. These areas contain vegetation in a better condition than the application area. Although the application area contains suitable habitat for black cockatoos and western ringtail possums, considering the scale of the proposed clearing, its linear nature and its proximity to better quality remnants, the application area is not likely to be significant habitat for indigenous fauna. A fauna management condition requiring the applicant to retain the one nesting tree identified will help mitigate impacts to the black cockatoo species.

The extent of pre-European vegetation remaining within the Shire of Dardanup is approximately 48 per cent (Government of Western Australia 2013) and the local area retains approximately 50 per cent. The application area is therefore not considered to be a significant remnant of native vegetation in a highly cleared area.

The application area is adjacent to Ferguson River and is transected by two minor, non-perennial watercourses. Given its linear nature and relatively small extent, the proposed clearing is not likely to significantly impact the watercourses, cause appreciable land degradation, cause deterioration in the quality of surface or underground water or cause, or exacerbate, the incidence of flooding.

The disturbance caused by the proposed clearing will increase the risk of weeds and dieback being spread in the adjacent Wellington National Park and Wellington Discovery Forest. Weed and dieback management practices will assist in mitigating this risk.

Considering the above, the application may be at variance to Clearing Principle (f) and (h) and is not likely to be at variance to the remaining clearing principles.

#### Methodology

##### References:

- Department of Parks and Wildlife (2014)
- Government of Western Australia (2013)
- Harewood (2015)
- Heddle et al 1980
- Keighery (1994)
- Kirby (2015)
- Shepherd et al (2001)

##### GIS Datasets:

- DPaW tenure
- Hydrography, linear
- RIWI Act, Rivers
- SAC Biodatasets - accessed February 2015
- Pre-European Vegetation

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

#### Comments

The project is jointly funded by the State Black Spot Program and the Roads to Recovery Program (Shire of Dardanup 2015). The Department of Parks and Wildlife (2015) has authorised the Shire of Dardanup to access and clear vegetation within the application area, subject to various conditions.

The Conservation Commission (2016) has advised that :

1. The Conservation Commission proposed that the Shire of Dardanup formally approach the Department of Parks and Wildlife (Parks and Wildlife) to seek to rationalise the boundary of King Tree Road so that the existing road is within a road reserve and the unused road reserve is cancelled and added to the surrounding land vested in the Conservation Commission Australia.
2. The Conservation Commission endorsed the construction environmental plan for the section of road to which it applies, being the two kilometre length of King Tree Road to the east of Japonica View to the limit of works.
3. The Conservation Commission supported the clearing within Wellington National Park, required for the proposed works to the two kilometre length of King Tree Road to the east of Japonica View to the limit of works.
4. The Conservation Commission noted that work on the four kilometre length of road to the east of King Tree will not require habitat tree removal, the impact restricted to smaller trees and understorey where sight lines are impeded.
5. The Conservation Commission proposed that the Shire of Dardanup provide drawing to Parks and Wildlife of propose works to the four kilometre unsealed section of King Tree Road prior to any work on that section of road being commenced.

This permit covers an area in which there exists one registered Aboriginal Site of Significance. It is the responsibility of the proponent to ensure that no Indigenous Heritage Sites are damaged through the clearing process. The proponent is advised to liaise with the Department of Aboriginal Affairs regarding their obligations under the Aboriginal Heritage Act 1972.

The application area is located within the Collie River Irrigation District proclaimed under the Rights in Water and Irrigation Act 1914. If the proposed clearing impacts upon a watercourse 'a permit to interfere with bed and banks of a watercourse' may be required from the Department of Water.

#### Methodology

##### References:

- Conservation Commission (2016)
- Shire of Dardanup (2015)
- Department of Parks and Wildlife (2015)

#### 4. References

- Conservation Commission (2016) Extract of Resolutions – King Tree Road. Western Australia. DER Ref:A1038071
- Department of Parks and Wildlife (2014) Advice received in relation to clearing permit application CPS 6149/1, received 5 August 2014. Department of Parks and Wildlife, Western Australia (DER Ref: A851108).
- 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.
- Harewood (2015) Western Ringtail Possum and Habitat Tree Survey – King Tree Road Wellington Mill. Shire of Dardanup. DER Ref:A1038068
- 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.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Kirby (2015) Black Cockatoo Nest Hollow Survey, King Tree Road. Western Australia. DER Ref:A1038068
- Shire of Dardanup (2014) Application for Clearing Permit CPS 6149/1, received 10 June 2014 (DER Ref: A768181).
- Shire of Dardanup (2015) Application for Clearing Permit CPS 6149/1, received 17 February 2015 (DER Ref: A867867).
- 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.