



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

| | |
|-------------------------------|--------------------------------|
| Purpose Permit number: | CPS 6808/2 |
| Permit Holder: | City of Busselton |
| Duration of Permit: | 12 March 2016 to 12 March 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 constructing a mountain bike trail network.

2. Land on which clearing is to be done

Lot 947 on Deposited Plan 240400, Dunsborough
Lot 272 on Deposited Plan 190994, Dunsborough
Lot 352 on Deposited Plan 56267, Dunsborough
Lot 265 on Deposited Plan 218286, Dunsborough
Lot 351 on Deposited Plan 56267, Naturaliste
Cape Naturaliste Road reserve (PIN 11410887 and PIN 11410319), Dunsborough
Sheens Road reserve (PIN 11410321), Dunsborough

3. Area of Clearing

The Permit Holder must not clear more than 2 hectares of native vegetation within the area shaded yellow on attached Plan 6808/2.

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

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

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;
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared; and
- (d) only move soils in *dry conditions*.

8. Fauna management

The permit holder shall ensure no clearing of *black cockatoo habitat tree/s* 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;

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 -

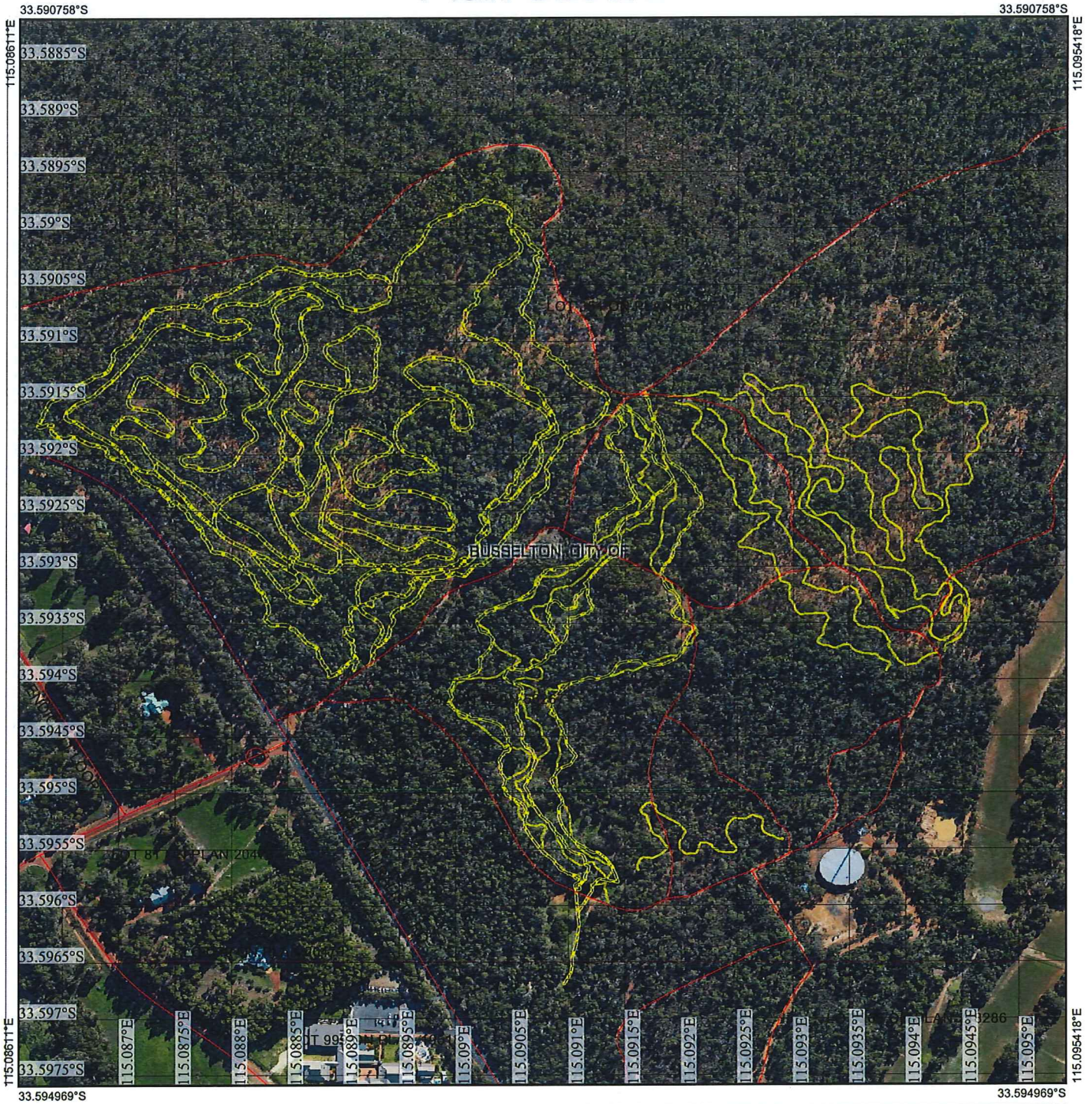
- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in a Department of Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

Mathew Gannaway
MANAGER
CLEARING REGULATION

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

16 February 2017

Plan 6808/2



Legend

-  Roads
-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority



(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

MB
 Date *16/02/2017*
Matthew Gannaway



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 WESTERN AUSTRALIA
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1. Application details

1.1. Permit application details

Permit application No.: 6808/2
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: City of Busselton

1.3. Property details

Property: Lot 352 on Deposited Plan 56267, Dunsborough
Lot 351 on Deposited Plan 56267, Naturaliste
Lot 272 on Deposited Plan 190994, Dunsborough
Lot 265 on Deposited Plan 218286, Dunsborough
Cape Naturaliste Road Reserve - 11410887, Dunsborough
Sheens Road Reserve - 11410321, Dunsborough
Cape Naturaliste Road Reserve - 11410319, Dunsborough
Cape Naturaliste Road and Sheens Road
City of Busselton

Colloquial name:
Local Government Authority:
DER Region: Greater Swan
DPaW District: Blackwood
LCDC: Yallingup
Localities: Dunsborough

1.4. Application

| Clearing Area (ha) | No. Trees | Method of Clearing | For the purpose of: |
|--------------------|-----------|--------------------|---------------------|
| 2 | | Mechanical Removal | Recreation |

1.5. Decision on application

Decision on Permit: Granted

Application:

Decision Date: 16 February 2017

Reasons for Decision:

The application to amend Clearing Permit CPS 6808/1 received on 3 November 2016 was to amend the clearing footprint area and amend condition 7(b) of CPS 6808/1. The 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 Principle (h) and is not likely to be at variance to the remaining clearing principles. The assessment against the clearing principles has not changed; the findings from the previous assessment are still relevant and can be found in Clearing Permit Decision Report CPS 6808/1.

Through assessment the Delegated Officer determined that the clearing may impact the environmental values of the Meelup Regional Park through the direct clearing of native vegetation and through the introduction and spread of weeds and dieback. Weed and dieback management measures will minimise impacts to the environmental values of this conservation area.

The assessment identified that the clearing is long and narrow in nature with clearing being limited to the understorey, with the over-storey to be retained. Habitat tree retention measures will assist in mitigating impacts to fauna. The clearing is unlikely to have any other significant environmental impacts.

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 |
|--|---|--|--|
| Beard vegetation association 1000 is described as: Mosaic: Medium forest; jarrah-marri / Low woodland; <i>Banksia</i> / Low forest; teatree (<i>Melaleuca</i> spp.) (Shepherd | The clearing of two hectares of native vegetation is for the purpose of constructing a mountain bike trail network. | Excellent; Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994). To | The condition and description of the vegetation was established through the Level 2 Flora and Vegetation Survey's undertaken by Onshore Environmental Pty Ltd in October 2012 and Webb in 2013 (Onshore Environmental Pty Ltd, 2013; Webb, |

et al., 2001).

Beard vegetation association 3 is described as: Medium forest; jarrah-marri (Shepherd et al., 2001).

Mattiske vegetation Wr complex consists of woodland of *Corymbia calophylla-Eucalyptus marginata* subsp. *marginata* with closed heath of Myrtaceae-Proteaceae-Papilionaceae spp. on steep rocky slopes in the hyperhumid zone. (Mattiske and Havel, 1998).

Mattiske vegetation Ww2 complex consists of tall open forest of *Corymbia calophylla-Agonis flexuosa* on flats and valleys in perhumid and humid zones (Mattiske and Havel, 1998).

Mattiske vegetation W2 complex consists of open forest of *Corymbia calophylla-Allocasuarina decussata-Agonis flexuosa* on deeply incised valleys in perhumid and humid zones (Mattiske and Havel, 1998).

Completely Degraded; No longer intact, completely/almost completely without native species (Keighery, 1994).

2013).

The application area consists of three primary vegetation associations:

- Vegetation association 1: The majority of the application area (approximately 70 per cent) comprises of a low forest of **Corymbia maculata*, **Eucalyptus resinifera* and *Eucalyptus comuta* over open low scrub of *Kunzea ciliata*, *Acacia cyclops* and *Podalyria sericea*.

- Vegetation association 2: Approximately twenty five per cent of the application area consists of a low forest canopy dominated by *Eucalyptus marginata* and *Corymbia calophylla* over an open scrub layer of *Xanthorrhoea preissii* and *Spyridium globulosum* and low shrub layer of *Hibbertia hypericoides* and *Calothamnus sanguineus*.

- Vegetation association 3: The third vegetation association is predominantly devoid of native vegetation and supporting introduced weed species as low shrubs and herbs.

3. Assessment of application against clearing principles

Comments

This amendment is to amend the clearing footprint area and amend condition 7(b) of CPS 6808/1. There is no increase in the size of the amended area, only an amendment to the clearing footprint area due to minor changes of the proposed trails for the mountain bike network (City of Busselton, 2016).

The applicant has requested to amend the dieback and weed control condition (condition 7(b)) of CPS 6808/1 to exclude the requirement to ensure no dieback affected soil is brought into the amended area to be cleared. It was determined through assessment under CPS 6808/1 that the proposed clearing may impact on the environmental values of the Meelup Regional Park through the direct clearing of native vegetation and through the introduction and spread of dieback. This was determined upon the review of a dieback assessment carried out over the application area in November 2014 which identified *Phytophthora cinnamomi* dieback disease in the majority of the application area, which is a result of extensive gravel extraction (Dieback Treatment Services, 2014). The distribution of dieback was surveyed and mapped during the assessment and mapped the majority of the application area as 'infested' with dieback and a very small percentage mapped as 'uninfested and unprotectable'. Condition 7 (b) is placed on the permit in order to mitigate the potential risk of dieback being spread into adjacent remnant vegetation and to minimise the impacts to the environmental values of the Meelup Regional Park.

The assessment against the clearing principles has not changed; the findings from the previous assessment are still relevant and can be found in Clearing Permit Decision Report CPS 6808/1.

Methodology

References:
City of Busselton (2016)
Dieback Treatment Services (2014)

Planning instruments and other relevant matters.

Comments The application area falls within a Native Title Claimant area. The claimants, the Single Noongar Claim (Area 2), South West Boorah #2 people and Harris Family, and their representative bodies, Clayton Utz Lawyers, Roe Legal Services Pty Ltd and the South West Aboriginal Land and Sea Council, have been notified of the application to amend CPS 6808/1. To date, no comments have been received.

There are no Aboriginal Sites of Significance recorded in the application area.

The application was advertised in *The West Australian* newspaper on 12 December 2016 for a 21 day submission period. No submissions from the public have been received for the application to amend.

Methodology GIS Databases:
Aboriginal Sites of Significance

4. References

- City of Busselton (2016) Application to amend Clearing Permit CPS 6808/1 – additional information. Western Australia (DER Ref: A1338539).
- Dieback Treatment Services (2014) Dieback Interpretation Report Meelup Regional Park. Unpublished report prepared for the Meelup Regional Park Management Committee (DER Ref: A989783).
- 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.
- Onshore Environmental Pty Ltd (2013) Flora and Vegetation Survey – Zone 6 Meelup Regional Park. Unpublished report prepared for Cape Mountain Bikers. Yallingup, Western Australia (DER Ref: A989783).
- 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.
- Webb (2013) The Flora and Vegetation of the Meelup reserve system. An unpublished report for the Meelup Park Management Committee (DER Ref: A989783).