



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 7016/2
Permit Holder:	Commissioner of Main Roads Western Australia
Duration of Permit:	17 September 2016 to 28 February 2033

ADVICE NOTE

The objective of the revegetation plan referred to in condition 8 of this permit is to establish 13.6 hectares of native vegetation with suitable habitat values for black cockatoo and western ringtail possum within the local area.

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 reconstruction.
- 2. Land on which clearing is to be done**
LOT 7 ON DIAGRAM 26769, CAPEL
LOT 74 ON PLAN 63783, CAPEL
LOT 660 ON PLAN 250387, CAPEL
LOT 5881 ON PLAN 18616, CAPEL
LOT 5880 ON PLAN 18616, CAPEL
LOT 55 ON PLAN 18907, CAPEL
LOT 54 ON PLAN 18907, CAPEL
LOT 53 ON PLAN 18907, CAPEL
LOT 52 ON PLAN 18907, CAPEL
LOT 51 ON PLAN 18907, CAPEL
LOT 305 ON PLAN 18907, LUDLOW
LOT 304 ON PLAN 18908, LUDLOW
LOT 20 ON PLAN 23348, CAPEL
LOT 2039 ON PLAN 140224, CAPEL
ROAD RESERVE (PIN 1142492), CAPEL
ROAD RESERVE (PIN 11609964), CAPEL
ROAD RESERVE (PIN 11510779), CAPEL
ROAD RESERVE (PIN 11609965), CAPEL
ROAD RESERVE (PIN 11510781), CAPEL
- 3. Area of Clearing**
The Permit Holder must not clear more than 5.53 hectares of native vegetation within the combined areas shaded yellow on attached Plan 7016/2a, Plan 7016/2b and Plan 7016/2c.
- 4. Duration of clearing**
This Permit does not authorise the Permit Holder to clear native vegetation after 17 September 2021.

5. 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.

6. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation for the project 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 project activities under the *Main Roads Act 1930* or any other written law.

PART II –MANAGEMENT CONDITIONS

7. Avoid, minimise and reduce the impacts and extent of 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) 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;
- (d) only move soils in *dry conditions*; and
- (e) where *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is to be removed from the area to be cleared, ensure it is transferred to areas of comparable *soil disease status*.

9. Offset – revegetation management plan

Within six months of the granted date of this Permit, the Permit Holder shall submit for the *CEO*'s approval, a revegetation plan for the establishment of 13.6 hectares of native vegetation to offset the impacts to black cockatoo and western ringtail possum habitat.

10. Western Ringtail Possum Management Plan

- (a) The Permit Holder must prepare a Western Ringtail Possum Management Plan.
- (b) The Western Ringtail Possum Management Plan must be submitted to the *CEO* at least 30 days prior to commencing works, for the *CEO*'s approval.
- (c) Prior to clearing the Permit Holder must implement and adhere to the approved Western Ringtail Possum Management Plan.

11. Flora management

Prior to undertaking any clearing authorised under this Permit, the Permit Holder must demarcate any *Verticordia attenuata* recorded within ten metres of the area authorised to be cleared.

12. Fauna management

- (a) Prior to clearing *black cockatoo habitat tree(s)* identified in the fauna assessment (Fauna Assessment, Bussell Highway, Capel to Hutton Road Upgrade, Harewood 2012), as containing suitable hollows for Carnaby's cockatoo (*Calyptorhynchus latirostis*), Baudin's cockatoo (*Calyptorhynchus baudinii*) and forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*) the Permit Holder shall engage a *fauna specialist* to check hollows fauna.
- (b) Where fauna are identified under condition 12(a) of this Permit, the Permit Holder shall ensure that:
 - (i) no clearing of the *black cockatoo habitat tree(s)* occurs, unless first approved by the *CEO*;
and

- (ii) no taking of identified fauna occurs, unless first approved by the *CEO*.

PART III - RECORD KEEPING AND REPORTING

13. 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; and
 - (iii) the size of the area cleared (in hectares).
 - (iv) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 7 of this Permit; and
 - (v) actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 8 of this Permit.
- (b) In relation to condition 9 of this Permit, the Permit Holder must maintain records of activities undertaken in accordance with the revegetation plan.
- (c) In relation to condition 10 of this Permit, the Permit Holder must maintain records of activities undertaken in accordance with the approved Western Ringtail Possum Management Plan.

14. 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 13 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 between 1 January to 31 December of the preceding calendar, 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 28 November 2032, the Permit Holder must provide to the *CEO* a written report of records required under condition 13 of this Permit where these records have not already been provided under condition 14(a) of this Permit.

DEFINITIONS

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

CEO means the *Chief Executive Officer* of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*.

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;

fauna specialist: means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the *CEO* as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Biodiversity Conservation Act 2016*;

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;

soil disease status means soil types either infested, not infested, uninterpretable or not interpreted with a pathogen; and

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 Biodiversity, Conservation and Attractions Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Mathew Gannaway
MANAGER
NATIVE VEGETATION REGULATION

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

6 June 2019

Plan 7016/2a

33.551163°S

33.551163°S

115.531219°E

115.531219°E









115.531219°E

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Legend

-  Cadastre
-  Cadastre (Search)
-  Imagery
-  Clearing Instruments Activities
-  Roads
-  Local Government Authority




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(Approximate when reproduced at A4)
GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

 Date 6 June 2019
Mathew Gannaway

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



GOVERNMENT OF
WESTERN AUSTRALIA
WA Crown Copyright 2016

Plan 7016/2b

33.561603°S

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115.516818°E

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Legend

-  Cadastre
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Plan 7016/2c



Legend

-  Cadastre
-  Cadastre (Search)
-  Imagery
-  Clearing Instruments Activities
-  Roads
-  Local Government Authority




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(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

 Date 6 June 2019
 Mathew Gannaway

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1. Application details

1.1. Permit application details

Permit application No.: 7016/2
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Commissioner of Main Roads Western Australia
Application received date: 20 February 2019

1.3. Property details

Property:
LOT 7 ON DIAGRAM 26769, CAPEL
LOT 74 ON PLAN 63783, CAPEL
LOT 660 ON PLAN 250387, CAPEL
LOT 5881 ON PLAN 18616, CAPEL
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ROAD RESERVE - (PIN 11609965), CAPEL
ROAD RESERVE - (PIN 11510781), CAPEL

Local Government Authority: CAPEL, SHIRE OF
Localities: CAPEL and LUDLOW

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
5.53		Mechanical Removal	Road construction or upgrades

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 6 June 2019

Reasons for Decision: The clearing permit amended application was received on 20 February 2019 and related to a request to amend Clearing Permit CPS 7016/1 to amend Condition 8 on the Permit, relating to offsets. The Permit Holder requested to change the offset condition from a monetary contribution to a revegetation offset. The Delegated Officer determined that the provision of a revegetation offset for the establishment of 13.6 hectares of native vegetation to offset the significant residual impacts to black cockatoos and western ringtail possum habitat is adequate.

The amendment application has been assessed against the clearing principles, planning and instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act), and the Delegated Officer has concluded that the proposed assessment has not changed since the assessment for CPS 7016/1 for the applied area of 5.53 hectares.

In determining to grant a clearing permit subject to conditions, the Delegated Officer considered that the proposed clearing is not likely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description: The amendment application is to amend Condition 8 to change the offset condition from a monetary contribution to a revegetation offset.

Vegetation Description

The vegetation within the application area is mapped in the following Heddle vegetation complex:

- Heddle vegetation Southern River complex is described as 'Open woodland of *Corymbia calophylla* (Marri) - *Eucalyptus marginata* (Jarrah) - Banksia species with fringing woodland of *Eucalyptus rudis* (Flooded Gum) - *Melaleuca raphiophylla* (Swamp Paperbark) along creek beds' (Heddle et al. 1980).

The flora and vegetation surveys identified six vegetation types within the survey area, as well as areas considered highly modified/cleared. Mixed *Eucalyptus gomphocephala* woodland occurs in upland areas, mixed *E. rudis* subsp. *rudis* woodland and *Melaleuca* and *Astartea* woodland in depressions and lower lying areas, and *M. raphiophylla* in artificial drainage lines (GHD 2015).

Vegetation Condition

The vegetation description and condition was determined from a Vegetation and Flora Assessment by GHD in October 2012 and February 2015 (GHD 2015). The vegetation within the application area was determined to range from completely degraded to good condition, described as:

- Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994); to
- Completely Degraded: The Structure of the vegetation is no longer intact and the area is completely or almost completely without native species (Keighery, 1994).

Comments

The local area is defined as a 10 kilometre radius measured from the perimeter of the application area.



Figure 1: Application area cross hatched in blue.

3. Assessment of application against clearing principles

The application is to amend Condition 8 on CPS 7016/1, to change the offset condition from a monetary contribution to a revegetation offset. The Permit Holder is required to revegetate 13.6 hectares of native vegetation to offset the significant residual impacts to black cockatoos and western ringtail possum habitat. Administration amendments to align with current practises has also occurred to Condition 12 of the permit and the duration of the permit has been extended based upon the completion criteria within the revegetation plan.

The assessment against the clearing principles has not changes and can be found in Clearing Permit Decision Report CPS 7016/1.

Planning instruments and other relevant matters

No Aboriginal sites of significance have been mapped within the application area.

The clearing permit application was advertised on the DWER website on 07 May 2019 with a 7 day submission period. No public submissions have been received in relation to this application.

4. References

- GHD (2015) Main roads Western Australia - Bussell Highway - Capel to Hutton Section (26.38 to 32.15 SLK) - Vegetation and Flora Assessment. December 2015. DER ref: A1072129
- 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.