



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 7094/2

File Number: DER2015/001400-1

Duration of Permit: From 10 September 2016 to 10 September 2023

### PERMIT HOLDER

Shire of Boyup Brook

### LAND ON WHICH CLEARING IS TO BE DONE

McAlinden Road reserve (PIN 11594209), McAlinden

McAlinden Road reserve (PIN 11594855), McAlinden

McAlinden Road reserve (PIN 11594852), Bowelling

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 114 native trees within the area hatched yellow on attached Plan 7094/2.

### CONDITIONS

#### 1. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 10 September 2018.

#### 2. 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.

#### 3. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation for the Authorised Activity 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.

#### 4. 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 clearing 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.

#### 5. Fauna management

- (a) Prior to undertaking clearing authorised under this Permit, the area shall be inspected by a *fauna specialist* who shall identify *habitat tree(s)* suitable to be utilised by the below fauna species:
  - (i) Carnaby's cockatoo (*Calyptorhynchus latirostris*);
  - (ii) Baudin's cockatoo (*Calyptorhynchus baudinii*); and
  - (iii) forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*).

- (b) Prior to clearing, any *habitat tree(s)* identified under condition 5(a) shall be inspected by a *fauna specialist* for the presence of fauna listed in condition 5(a).
- (c) Where fauna are identified in relation to condition 5(b) of this Permit, the Permit Holder shall ensure that no clearing of the identified *habitat tree(s)* occurs, unless approved by the *CEO*.

## 6. Revegetation

The Permit Holder shall establish and maintain 1.14 hectares of trees in accordance with the following requirements:

- (a) the revegetation shall be located within Zone A of the gazetted *Country Areas Water Supply Act 1947* Wellington Dam Catchment Area;
- (b) by 30 June 2017 and prior to the commencement of *planting*, the Permit Holder shall provide the *CEO* with the location of revegetation activities required in accordance with condition 6 of this Permit;
- (c) trees shall be established and maintained to an average *planting* density of 1,000 stems per hectare; and
- (d) *planting* is to commence within twelve months of clearing any area authorised under this Permit.

## 7. Records must be kept

- (a) In relation to fauna management pursuant to condition 5 of this Permit:
  - (i) the location of each *habitat tree(s)* identified 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; and
  - (ii) the species name of fauna reasonably likely to utilise, or that have been observed utilising, the *habitat tree(s)*.
- (b) In relation to the *planting* of areas pursuant to condition 6 of this Permit:
  - (i) the location of any areas *planted*, 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;
  - (ii) a description of the *planting* activities undertaken; and
  - (iii) the number of trees and density *planted*.

## 8. 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 7 of this Permit; and
  - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding calendar year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January and 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 31 December of each year.
- (c) Prior to 3 June 2023, the Permit Holder must provide to the *CEO* a written report of records required under condition 7 of this Permit where these records have not already been provided under condition 8(a) of this Permit.

## DEFINITIONS

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

*CEO* means the Chief Executive Officer; and

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

*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 *Wildlife Conservation Act 1950*;

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

*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, that contains or has the potential to develop hollows or roosts suitable for native fauna;

*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;

*planting/ed* means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species; 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 Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

---

Dr Anne Mathews  
SENIOR MANAGER  
CLEARING REGULATION


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

10 November 2016

# Plan 7094/2



## Legend

-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority



1:13,903  
 (Approximate when reproduced at A4)  
 GDA 94 (Lat/Long)  
 Geocentric Datum of Australia 1994

*Anne Mathews* Date *10/11/2016*  
 ANNE MATHEWS

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



GOVERNMENT OF  
 WESTERN AUSTRALIA  
 WA Crown Copyright 2016



## 1. Application details

### 1.1. Permit application details

Permit application No.: 7094/2  
Permit type: Area Permit

### 1.2. Applicant details

Applicant's name: Shire of Boyup Brook

### 1.3. Property details

Property: McAlinden Road reserve (PINs 11594852, 11594855 and 11594209), Bowelling and McAlinden  
Colloquial name: McAlinden Road  
Local Government Authority: Shire of Boyup Brook  
DER Region: Greater Swan  
DPaW District: Blackwood and Wellington  
Localities: McAlinden

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 10 November 2016

Reasons for Decision: The clearing permit application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986*.

The Delegated Officer determined that the proposed clearing is at variance to Principle (f) and is not likely to be at variance to the remaining principles. The Delegated Officer determined that the proposed clearing will impact on vegetation growing in association with a watercourse. The Delegated Officer determined that the impact to riparian vegetation is limited to individual trees and is unlikely to be significant. The Delegated Officer noted that the application area is located within Zone A (high salinity risk) of the *Country Areas Water Supply Act 1947* Wellington Dam Catchment Area, and that the Department of Water's Policy and Guidelines for the 'Granting of Licences to Clear Indigenous Vegetation' provide for the grant of a licence for government works subject to an equivalent area within Zone A being revegetated.

The clearing permit will include conditions requiring the Permit Holder to:

- check suitable nesting trees prior to the commencement of clearing activities, and to avoid clearing trees identified to be in use by black cockatoos for nesting; and
- revegetate an area of 1.14 hectares.

## 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
<p>One Beard vegetation association and two Mattiske vegetation complexes have been mapped within the application area:</p> <ul style="list-style-type: none"> <li>• Beard vegetation association 3 is described as medium forest; jarrah (<i>Eucalyptus marginata</i> subsp. <i>marginata</i>) - marri (<i>Corymbia calophylla</i>) (Shepherd et al., 2001);</li> <li>• Mattiske vegetation complex 'S' is described as a mosaic of low open woodland of <i>Melaleuca preissiana</i> - <i>Banksia littoralis</i>, closed scrub of <i>Myrtaceae</i> spp., closed heath of <i>Myrtaceae</i> spp. and sedgelands of <i>Baumea</i> and <i>Leptocarpus</i> spp. on seasonally wet or moist sand, peat and clay soils on valley floors in all climatic zones; and</li> </ul>	<p>The applicant has proposed to clear 114 native trees within McAlinden Road reserve (PIN: 11594852, 11594855 and 11594209, Bowelling and McAlinden, for the purpose of undertaking road upgrades.</p>	<p>Degraded: Structure severely disturbed; regeneration to good condition (Keighery, 1994) requires intensive management.</p>	<p>The vegetation condition was determined during a site inspection conducted by officers of the Department of Environment Regulation (DER) on 28 June 2016 (DER, 2016).</p>

- Mattiske vegetation complex 'WG' is described as woodland of jarrah-marri on sandy-gravels on low divides in the subhumid zone (Mattiske et al., 1998).

### 3. Assessment of application against clearing principles

**Comments** Application to amend granted Clearing Permit CPS 7094/1 was submitted 6 September 2016 requesting to increase the total amount of trees to be cleared by six native trees.

The application area includes 114 native trees within McAlinden Road reserve (PINs 11594852, 11594855 and 11594209), Bowelling and McAlinden, for the purpose of road upgrades.

The application area comprises of 114 jarrah, marri and wandoo trees over an understory dominated by weed species (DER, 2016). The application area includes flooded gum (*Eucalyptus rudis*), paperbark (*Melaleuca raphiophylla*) and swamp banksia (*Banksia littoralis*), and the application states that individual trees of these species are proposed to be cleared.

The vegetation within McAlinden Road reserve is in a degraded (Keighery, 1994) condition, and vegetation cover is fragmented (DER, 2016). Based on aerial imagery, it is evident that other habitat linkages that occur near the application area are in a better condition, providing greater vegetative cover. Given this, it is considered that the application area is unlikely to provide a significant fauna habitat linkage within the local area (10 kilometre radius).

A total of two threatened, one migratory, one other specially protected and one priority 4 fauna species have been recorded within the local area (Parks and Wildlife, 2007-). Of these, based on the habitat identified during a site inspection (DER, 2016), it is considered that the application area is most likely to be utilised by the forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*) and Carnaby's cockatoo (*Calyptorhynchus latirostris*). While the Baudin's cockatoo (*Calyptorhynchus baudinii*) has not been recorded within the local area, the application area is within the known range of this species, and the application area may also be utilised by Baudin's cockatoos. These three species are collectively known as black cockatoos.

'Breeding habitat' for black cockatoos is defined as trees of species known to support breeding within the range of the species which either have a suitable nest hollow or are of a suitable diameter at breast height (DBH) to develop a nest hollow. For most tree species, a suitable DBH is 500 millimetres (Commonwealth of Australia, 2012).

During a site inspection 108 trees were inspected with two large trees observed to contain hollows suitable for nesting by black cockatoos (DER, 2016). Chewing was observed around the hollows, which indicates recent use by avian fauna and potentially black cockatoos (Parks and Wildlife, 2016; DER, 2016). On this basis it is considered that the proposed clearing may impact on suitable nesting habitat for black cockatoos. Clearing of six additional trees is unlikely to have any additional impacts.

A Black Cockatoo Habitat Assessment was conducted August 2016 as required under permit condition 5 of CPS 7094/1. The survey found that only one tree out of 113 inspected contained one hollow with a large entrance (greater than 10cm) with no obvious signs of current or previous use by black cockatoos (Harewood, 2016). In addition roosting habitat was not identified within the application area. The survey identified approximately 0.8 ha of potential foraging habitat within the survey area, however there is substantial areas of native vegetation suitable for foraging surrounding the application area. The report stated that it is unlikely that the proposed clearing will have significant impact on any species of black cockatoo (Harewood, 2016). The proposed clearing is therefore not likely to be at variance to Principle (b).

One minor, non-perennial watercourse is mapped adjacent to the application area. This watercourse represents a drainage line that runs under McAlinden Road via culverts.

Noting the extent of the proposed clearing and the shape of the application area, it is considered that the impact to vegetation growing in association with an adjacent watercourse is unlikely to significantly impact on the watercourse.

Given the above, the proposed clearing is at variance to this Principle (f) and is not likely to be at variance to the remaining principles.

**Methodology** References:  
Commonwealth of Australia (2012)  
DER (2016)  
Keighery (1994)  
Parks and Wildlife (2007-)  
Parks and Wildlife (2016)  
Harewood (2016)

GIS Databases:  
- Imagery

## Planning instruments and other relevant matters.

**Comments** The application area is located within the Collie River Irrigation District proclaimed under the *Rights in Water and Irrigation Act 1914*. Any taking or diversion of surface water can be subject to licensing, and any interference with a watercourse (such as the clearing of riparian vegetation) requires a permit to interfere with bed or banks from the Department of Water (DoW) (DoW, 2016a). The application area includes flooded gum (*Eucalyptus rudis*), paperbark (*Melaleuca raphiophylla*) and swamp banksia (*Banksia littoralis*), and the application states that individual trees of these species are proposed to be cleared. The applicant is advised to contact DoW for advice in respect to this matter.

The application area is located within Zone A of the *Country Areas Water Supply Act 1947* Wellington Dam Catchment Area, which has a high salinity risk (DoW, 2016b). DoW Policy and Guidelines for the "Granting of Licences to Clear Indigenous Vegetation" provide for the grant of a licence for government works subject to an equivalent area within Zone A being revegetated (DoW, 2016b). DoW calculated the equivalent of 108 native trees to be 1.08 hectares, based on 100 trees per hectare, and noting the extent of the proposed clearing DoW advised that the amalgamation of similar offset requirements over time to create sustainable revegetation areas is acceptable (DoW, 2016b). The same calculation has been applied to the amended application area of 114 trees, this equating to 1.14 hectares of required revegetated area.

There are two registered Aboriginal Sites of Significance within the application area. It is the applicant's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

The application was advertised in *The West Australian* on 26 September 2016 for a 21 day submission period. No submissions were received.

**Methodology** References:  
DoW (2016a)  
DoW (2016b)

GIS Databases:  
- Aboriginal sites register system

## 4. References

- Commonwealth of Australia (2012) EPBC Act referral guidelines for three threatened black cockatoo species, Canberra.  
Department of Environment Regulation (2016) CPS 7094/1 site inspection report. Department of Environment Regulation. DER REF: A1141945.  
Department of Parks and Wildlife (Parks and Wildlife) (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. url: <http://naturemap.dpaw.wa.gov.au/>. Accessed July 2016.  
Department of Parks and Wildlife (Parks and Wildlife) (2016) Advice received from the Department of Parks and Wildlife on 29 July 2016. DER REF: A1141937  
Department of Water (DoW) (2016a) Advice received from the Department of Water on 5 July 2016. DER REF: A1125412.  
Department of Water (DoW) (2016b) Advice received from the Department of Water on 19 July 2016. DER REF: A1134552.  
Harewood, G. (2016) Black Cockatoo Habitat Assessment of Proposed Clearing Areas McAlinden Road, Shire of Boyup Brook.  
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, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.