



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 7619/1
Permit Holder:	Shire of Manjimup
Duration of Permit:	11 November 2017 – 11 November 2022

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.

2. Land on which clearing is to be done

Middleton road reserve (PIN 11559916), Boorara Brook

3. Area of Clearing

The Permit Holder must not clear more than 0.9 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7619/1.

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

6. Fauna Management – Western Ringtail Possum and Brush-tailed Phascogale

- In relation to the area cross hatched yellow on attached Plan 7619/1, the Permit Holder must engage a *fauna specialist* to inspect that area immediately prior to, and for the duration of, clearing, for the presence of western ringtail possum(s) (*Pseudocheirus occidentalis*) or brush-tailed phascogale(s) (*Phascogale tapoatafa*).
- Clearing must cease in any area where western ringtail possum(s) (*Pseudocheirus occidentalis*) or brush-tailed phascogale(s) (*Phascogale tapoatafa*) is identified until either:
 - the individual has been removed by a *fauna specialist*; or
 - the individual has moved on from that area to adjoining *suitable habitat*.
- Any western ringtail possum(s) (*Pseudocheirus occidentalis*) or brush-tailed phascogale(s) (*Phascogale tapoatafa*) individuals removed in accordance with condition 2(b)(i) of this Permit must be relocated by a *fauna specialist* to *suitable habitat*.

- (d) Where western ringtail possum(s) (*Pseudocheirus occidentalis*) or brush-tailed phascogale(s) (*Phascogale tapoatafa*) is identified under condition 2(a) of this Permit, the Permit Holder must provide the following records to the CEO as soon as practicable:
- (i) the number of individuals identified;
 - (ii) the date each individual was identified;
 - (iii) the location where each individual was 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;
 - (iv) the number of individuals removed and relocated;
 - (v) the date each individual was removed;
 - (vi) the date each individual was relocated;
 - (vii) the location where each individual was relocated to, recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees; and
 - (viii) details pertaining to the circumstances of any death of, or injury sustained by, an individual.

7. Fauna Management – Black cockatoo habitat trees

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to conduct a *fauna survey* of the Permit Area to identify *black cockatoo habitat tree/s* being utilised by, or showing signs of previous use by:
- (i) *Calyptorhynchus latirostris* (Carnaby's cockatoo);
 - (ii) *Calyptorhynchus baudinii* (Baudin's cockatoo); or
 - (iii) *Calyptorhynchus banksii naso* (forest red-tailed black cockatoo).
- (b) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide the results of the *fauna survey* in a report to the CEO.
- (c) The *fauna survey* report must include the following:
- (i) the location of the *black cockatoo habitat tree/s* 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 location of any fauna species listed in condition 7(a), if identified, recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees; and
 - (iii) the name and amount of each fauna species identified; and
 - (iv) the methodology used to survey the Permit Area; and
 - (v) a description of the *black cockatoo habitat tree/s* identified.
- (d) Where *black cockatoo habitat tree/s* are identified under condition 7(a) of this Permit, the Permit Holder shall ensure that no clearing occurs while there is evidence of breeding in the *black cockatoo habitat tree/s*.

8. 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*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *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.

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 30 centimetres or greater that contain hollows suitable for nesting by Carnaby's cockatoo, Baudin's cockatoo or forest red-tailed black cockatoo;

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

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*;

fauna survey: means a field-based investigation of the biodiversity of fauna and/or fauna habitat of the Permit Area;


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;

suitable habitat: means habitat known to support western ringtail possum(s) (*Pseudocheirus occidentalis*) or brush-tailed phascogale(s) (*Phascogale tapoatafa*) within the known current distribution of these species;

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 species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

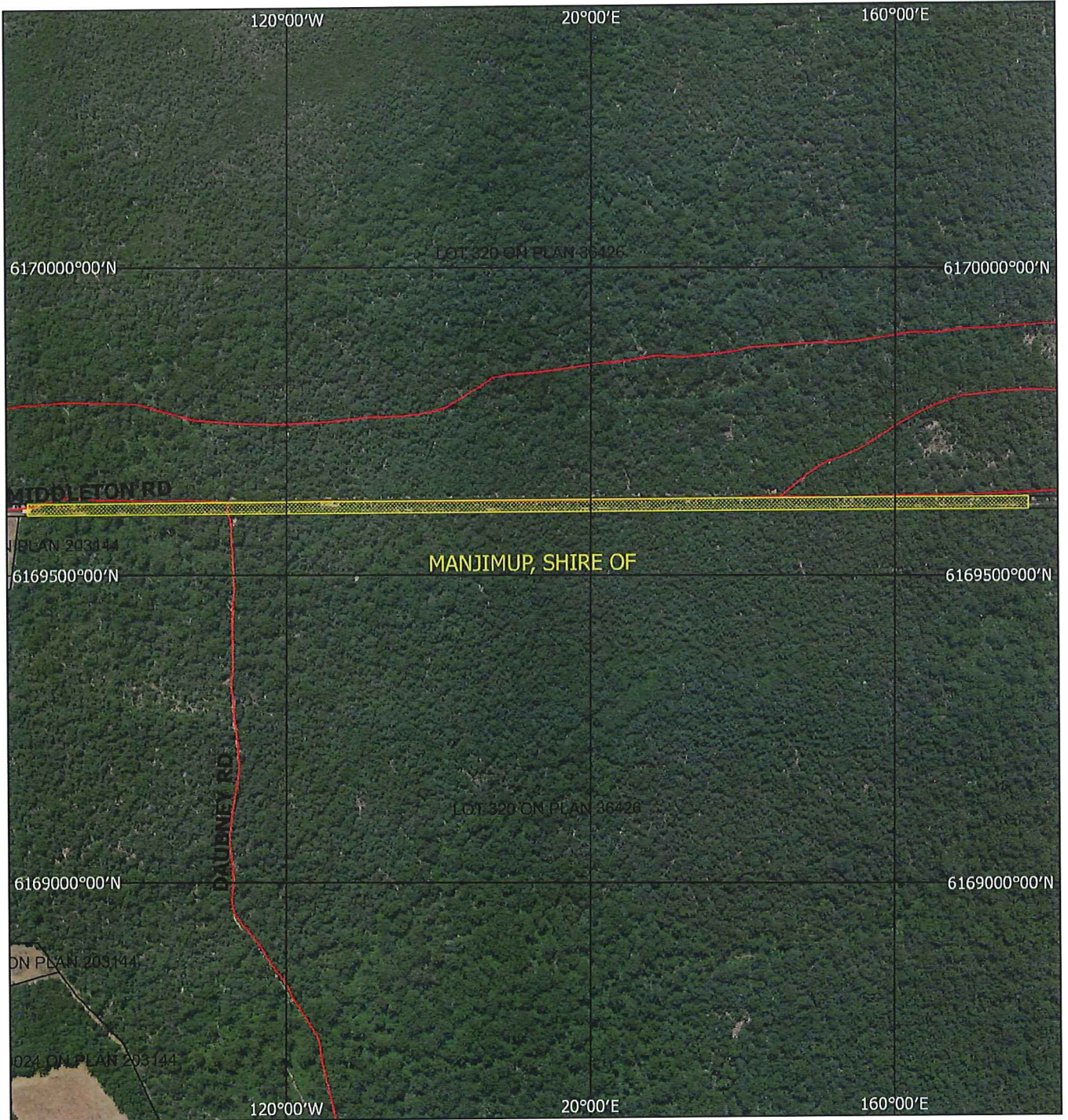


Emma Bramwell
A/ MANAGER
CLEARING REGULATION





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

16 October 2017

Plan 7619/1



Legend

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



1:11,389

MGA 94
Geocentric Datum of Australia 1994

 Date 16/10/17
E BRAMWELL

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





1. Application details

1.1. Permit application details

Permit application No.: 7619/1
Permit type: Purpose Permit

1.2. Proponent details

Applicant's name: Shire of Manjimup

1.3. Property details

Property: Middleton Road Reserve (PIN 11559916), Boorara Brook
Local Government Authority: Shire of Manjimup
DER Region: South Coast
DPaW District: Donnelly
Localities: Boorara Brook

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.9	0	Mechanical Removal	Road construction

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 16 October 2017
Reasons for Decision: This clearing permit application was received on 26 May 2017, and has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986*, and it has been concluded that the proposed clearing maybe at variance to principle (b) and is not likely to be at variance to any of the remaining clearing principles.

The Delegated Officer determined that the proposed clearing is unlikely to result in significant impacts. To mitigate potential impacts to individual black cockatoos, western ringtail possums and brush-tailed phascogales, the clearing permit will include fauna management conditions.

2. Background

2.1. Existing environment and information

Vegetation Description The application area is mapped as Mattiske vegetation complexes (Mattiske and Havel, 1998):

- CRb which is described as tall open forest of *Corymbia calophylla* (marri)-*Eucalyptus diversicolor* (karri) on upper slopes with *Allocasuarina decussata*-*Banksia grandis* on upper slopes in hyperhumid and perhumid zones.
- CRy which is described as tall open forest of marri with mixture of *Eucalyptus marginata* subsp. *marginata* and karri on uplands in hyperhumid and perhumid zones.
- S1 which is described as tall open forest of karri-marri on slopes with some *Eucalyptus patens* (blackbutt) and *Eucalyptus megacarpa* on valley floors in hyperhumid and perhumid zones.

A site inspection of the application area was conducted by officers of the Department of Water and Environmental Regulation (DWER site inspection). The DWER site inspection identified that the majority of the vegetation consists of a closed karri forest with scattered marri, *Eucalyptus jacksonii* and jarrah over a dense shrub layer of *Pteridium esculentum*, *Cryptandra myriantha*, *Leucopogon* sp., *Gastrolobium* sp., *Acacia* sp. and *Fabaceae* sp. (DWER, 2017). The DWER site inspection identified that understorey comprises of a dense layer of leaf litter with few weeds, and that marri forest was dominant around the intersection of Daubney Road and Middleton Road. (DWER, 2017).

Clearing Description The clearing of 0.9 hectares of native vegetation within Middleton Road Reserve (PIN 11559916), Boorara Brook for the purpose of road widening.

Vegetation Condition Excellent; Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).
To
Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).

Comment The condition and description of the vegetation was determined through the DWER site inspection (DWER, 2017).

3. Assessment of application against clearing principles

Comments The application to clear up to 0.9 hectares of native vegetation along a 1.6 kilometre stretch of an existing road for the purpose of road widening and drainage construction.

The types and condition of the vegetation within the application area are outlined in section 2.1.1. The DWER site inspection identified that the application area includes two trees with potential hollows suitable for nesting by arboreal species, and is traversed by the Boorara Brook (DWER, 2017). The local area (10 kilometre radius) retains approximately 75 per cent native vegetation cover.

According to available databases, the threatened fauna noisy scrub-bird (*Atrichornis clamosus*) and western mud minnow (*Galexia munda*) have been recorded within one kilometre of the application area.

The Department of Biodiversity, Conservation and Attractions (DBCA) advised that the record of the noisy scrub-bird is from a 2010 translocation that was considered to have been unsuccessful due to predation, and as such the proposed clearing is unlikely to impact this species (DBCA, 2017).

DBCA advised that the western mud minnow is known to occur in the Boorara Brook, and is likely to already be subject to impacts associated with the use of the existing road, however measures should be taken to avoid direct impact to the watercourse and minimise any future impact to water quality (DBCA, 2017).

DBCA advised that there is potential for other threatened fauna to utilise the habitats within the application area, including western ringtail possum (*Pseudocheirus occidentalis*), brush-tailed phascogale (*Phascogale tapoatafa* subsp. *wambenger*), quokka (*Setonix brachyurus*), chuditch (*Dasyurus geoffroi*), numbat (*Myrmecobius fasciatus*) and black cockatoos (*Calyptorhynchus* species), many of which have been recorded within the vicinity of the application area and may utilise the two trees with potential hollows within the application area (DBCA, 2017). DBCA advised that priority fauna quenda (*Isoodon obesulus* subsp. *fusciventer*), western brush wallaby (*Macropus irma*) and water rat (*Hydromys chrysogaster*) may also utilise the habitats within the application area (DBCA, 2017).

DBCA recommended that immediately prior to clearing, trees identified to be impacted should be inspected by a suitably qualified and experienced fauna specialist/fauna spotter to identify fauna using the trees so that appropriate fauna management (i.e. relocation) can be undertaken, that felling of trees with hollows potentially suitable for breeding/nesting/refuge by any arboreal fauna species should not occur during the breeding season when there may be chicks or young in the hollows, and that inspection of trees after felling should also be undertaken to check for any fauna that may have been missed previously (DBCA, 2017).

As indicated above, the Boorara Brook traverses the application area. The proposed clearing to widen the road and construct drainage is likely to impact on native vegetation growing in association with this watercourse. Noting the existing road infrastructure, and the extent of the proposed clearing and the linear shape of the application area, the proposed clearing is unlikely to significantly impact on riparian vegetation.

The road reserve within which the application area is located is adjacent to the Jane National Park. Noting this, there is a risk of weeds spreading into adjacent remnant vegetation and potentially affecting the environmental values of the nearby conservation area. Weed management practices are likely to mitigate this risk.

Noting the types of vegetation complexes present within the application area and the extent of native vegetation in the local area, the application area is not likely to include or be necessary for the continued existence of rare flora, is not likely to comprise the whole or a part of or be necessary for the maintenance of a threatened ecological community, is not likely to be significant as a remnant of native vegetation in an area that has been extensively cleared.

Noting the extent of the proposed clearing and the linear shape of the application area, the proposed clearing is not likely to cause appreciable land degradation, is not likely to cause deterioration in the quality of surface or underground water, and is not likely to cause or exacerbate the incidence or intensity of flooding,

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

Methodology

References:
DBCA (2017)
DWER (2017)
Keighery (1994)

GIS Databases:
- Hydrography, linear
- Hydrography, hierarchy
- DBCA tenure
- SAC bio datasets accessed October 2017
- Virtual mosaic

Planning instruments and other relevant matters.

Comments The applicant proposes to clear 0.9 hectares of native vegetation within Middleton Road Reserve (PIN 11559916), Boorara Brook, for the purpose of road widening.

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

The application area is zoned road reserve under the town planning scheme.

The clearing permit application was advertised on 30 June 2017 with a 21 day submission period. No public submissions have been received in relation to this application.

Methodology GIS Databases:
- Aboriginal sites register system
- Town Planning Scheme Zones

4. References

- Department of Biodiversity, Conservation and Attractions (DBCA) (2017) Advice from the Department of Biodiversity, Conservation and Attractions regarding clearing permit application CPS 7619/1 DWER Ref A1536591.
- Department of Water and Environmental Regulation (DWER) (2017) Department of Water and Environmental Regulation site inspection report for clearing permit application CPS 7619/1 DWER Ref A1536505.
- 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.