



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 7882/1
<b>Permit Holder:</b>	City of Busselton
<b>Duration of Permit:</b>	6 April 2018 to 6 April 2023

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 an access way.

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

Lot 4539 on Plan 211912

**3. Area of Clearing**

The Permit Holder must not clear more than 0.005 hectares of native vegetation within the area shaded yellow on attached Plan 7882/1.

**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. 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.

## 7. Western Ringtail Possum Management

- (a) In relation to the area cross-hatched yellow on attached Plan 7882/1, 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 (*Pseudocheirus occidentalis*) western ringtail possum(s).
- (b) Clearing must cease in any area where fauna referred to in condition 7(a) above are identified until either:
  - (i) the western ringtail possum(s) individual has been removed by a *fauna specialist*; or
  - (ii) the western ringtail possum(s) individual has moved on from that area to adjoining *suitable habitat*.
- (c) Any western ringtail possum (*Pseudocheirus occidentalis*) individuals removed in accordance with condition 7(b)(i) of this Permit must be relocated by a *fauna specialist* to *suitable habitat*.
- (d) Where fauna is identified under condition 7(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.

## 8. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit, in relation to the clearing of native vegetation authorised under this Permit:

- (a) 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 or decimal degrees;
- (b) the date that the area was cleared;
- (c) the size of the area cleared (in hectares);
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 6 of this Permit; and
- (e) of records required under condition 7 of this Permit.

## 9. Reporting

The Permit Holder must provide to the CEO the records required under condition 8 of this Permit, when requested by the CEO.

## 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*;

**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, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*;

**suitable habitat:** means habitat known to support western ringtail possums (*Pseudocheirus occidentalis*) within the known current distribution of the species. This often includes stands of myrtaceous trees (usually Peppermint Tree (*Agonis flexuosa*)) growing near swamps, watercourses or floodplains, and at topographic low points which provide cooler, often more fertile, conditions.



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Mathew Gannaway  
MANAGER  
CLEARING REGULATION



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

7 March 2018

# CPS 7882/1 - Plan



## Legend

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



1:678

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

*M/S* Date 7/03/2018  
*Matthew Germany*

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



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 WESTERN AUSTRALIA  
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# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 7882/1  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: City of Busselton  
Application received date: 22 November 2017

### 1.3. Property details

Property: Lot 4539 on Plan 211912, West Busselton  
Local Government Authority: Busselton, City of  
Localities: West Busselton

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.005		Mechanical Removal	Landscaping

### 1.5. Decision on application

Decision on Permit Application: Granted  
Decision Date: 07 March 2018  
Reasons for Decision:

The clearing permit application was received on 22 November 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*. It has been concluded that the proposed clearing may be at variance to principle (b) and is not likely to be at variance to any of the remaining clearing principles.

Through the assessment it was determined that the proposed clearing area contains western ringtail possum habitat trees. The Delegated Officer noted the small amount of clearing proposed, that the vegetation condition is in a Degraded to Good (Keighery, 1994) condition and that sufficient vegetation would remain to the north of the application area, including a tree canopy, so as not to significantly impact fauna habitat.

In determining to grant a clearing permit, the Delegated Officer determined that potential impacts to fauna species can be adequately minimised and/or avoided by imposing fauna management measures and that the proposed clearing is unlikely to lead to any unacceptable risk to the environment.

## 2. Site Information

**Clearing Description:** The application is for the proposed clearing of 0.005 hectares of native vegetation within Lot 4539 on Plan 211902 for the purpose of construction of an access way.

**Vegetation Description** Vegetation is mapped as Quindalup complex - Coastal dune complex consisting mainly of two alliances - the strand and fore-dune alliance and the mobile and stable dune alliance. Local variations include the low closed forest of *Melaleuca lanceolata* (Rottnest Teatree) - *Callitris preissii* (Rottnest Island Pine), the closed scrub of *Acacia rostellifera* (Summer-scented Wattle) and the low closed *Agonis flexuosa* (Peppermint) forest of Geographe Bay (Government of Western Australia, 2018).

Photographs supplied by the applicant indicate the vegetation within the application area consists of *Agonis flexuosa*, *Scaevola crassifolia*, *Lepidosperma gladiatum* and *Olearia axillaris* over introduced species (City of Busselton, 2018a).

**Vegetation Condition** Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).  
to  
Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).

**Comments** Condition of vegetation within the application area was determined by photographs supplied by the applicant (City of Busselton, 2018a).

### 3. Assessment of application against clearing principles and planning instruments and other matters

The clearing of 0.005 hectares of native vegetation within Lot 4539 on Plan 211902 for the purpose of construction of an access way. The local area is defined as 10 kilometre (km) radius from the application area. Consideration has been given to impacts to biodiversity, significant fauna habitat, rare flora, threatened ecological communities, remnant vegetation values, wetlands, watercourses, land degradation, impacts to conservation areas, surface water quality, groundwater quality, and flooding.

Given the degraded (Keighery, 1994) condition of the vegetation and that is dominated by a weedy understorey, the proposed clearing is not likely to impact upon any rare or priority flora species.

The application area contains *Agonis flexuosa* (peppermint) trees which are favourable as habitat for the western ringtail possum (WRP) (*Pseudocheirus occidentalis*). One *Agonis flexuosa* tree within the application area is proposed to be cleared (City of Busselton, 2018b). The remaining peppermint trees within the application area will only be lightly pruned and are not to be cleared (City of Busselton, 2018b). Given the small area, the proposed clearing is not likely to impact on significant habitat for fauna or as an ecological linkage corridor. However, given the WRP preferred habitat trees are present, and to minimise any potential impacts to individual WRP, a fauna management condition requiring the presence of a fauna spotter will help mitigate impacts to WRP individuals.

No watercourses, wetlands, conservation areas or threatened ecological communities are recorded within close proximity to the application area.

Given the degraded (Keighery, 1994) condition of the vegetation, dominance of weeds and the relatively small size of the application area, the proposed clearing is not likely to contribute to or cause land degradation, deteriorate the quality of ground water, cause or exacerbate flooding or be considered a significant remnant within an extensively cleared area.

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

The clearing permit application was advertised on the Department of Water and Environmental Regulation website on 9 January 2018, inviting submissions from the public within a fourteen day period. No submissions were received in relation to this application.

The application area is within the buffer of one Aboriginal Site of Significance - Lou Western Oval Reburial Site Lodged - site ID 30029. It is the applicant's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Sites of Aboriginal Significance are damaged through the clearing process.

### 4. References

Government of Western Australia (2018) 2017 South West Vegetation Complex Statistics. Current as of October 2017. WA Department of Biodiversity, Conservation and Attractions, Perth.

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

City of Busselton (2018a) Photographs of the application area (DWER ref: A1595422).

City of Busselton (2018b) CPS 7882/1 Supporting Information (DWER ref: A1626966).