



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 7883/1
File Number: DER2015/001263
Duration of Permit: 7 May 2018 to 7 May 2020

PERMIT HOLDER

Shire of Capel

LAND ON WHICH CLEARING IS TO BE DONE

Boyanup Road West Road Reserve (PIN: 1323149), Stratham
Boyanup Road West Road Reserve (PIN: 1328917), Boyanup

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.0859 hectares of native vegetation within the area cross hatched yellow on attached Plan 7883/1.

CONDITIONS

1. 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.

2. Clearing not authorised

This Permit does not authorise the Permit Holder to clear native vegetation between the months of October and May.

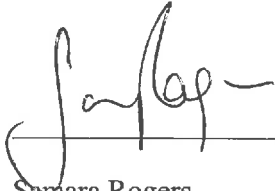
3. Records must be kept

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); and
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 1 of this Permit.

4. Reporting

The Permit Holder must provide to the CEO the records required under condition 3 of this Permit, when requested by the CEO.



Samara Rogers
A/MANAGER
CLEARING REGULATION







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

6 April 2018

CPS 7883/1 - Plan



Legend

-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority
-  Cadastral
-  Roads - Local and Others
-  Roads - Main Road



1:2,444
 (Approximate when reproduced at A4)
 GDA 94 (Lat/Long)
 Geocentric Datum of Australia 1994

S. Rogers Date *6/4/18*
Samara Rogers

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



1. Application details

1.1. Permit application details

Permit application No.: 7883/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Shire of Capel
Application received date: 23 November 2017

1.3. Property details

Property: ROAD RESERVE - 1323149, STRATHAM
ROAD RESERVE - 1328917, BOYANUP
Local Government Authority: CAPEL, SHIRE OF
Localities: STRATHAM, BOYANUP

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.0859		Mechanical Removal	Road construction or upgrades

1.5. Decision on application

Decision on Permit Application: Granted

Decision Date: 6 April 2018

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* (EP Act). It has been concluded that the proposed clearing may be at variance to principle (b) and is not likely to be at variance to the remaining principles.

The Delegated Officer took into consideration the minimal width of clearing within the road reserve and the condition of vegetation within the application area.

Through assessment it has been determined that the vegetation in the application area contains suitable foraging and potential nesting habitat for Carnaby's cockatoo (*Calyptorhynchus latirostris*). The Delegated Officer has had regard to advice received from the Department of Biodiversity, Conservation and Attractions and to mitigate the potential impact to black cockatoos, a condition has been placed on the permit requiring clearing to occur outside of the breeding season.

The Delegated Officer determined that the clearing is unlikely to have any significant environmental impacts and decided to grant a clearing permit subject to an avoid minimise condition.

2. Site Information

Clearing Description	The application is to clear 0.0859 hectares of native vegetation within Boyanup Road West Road Reserve (PIN: 1323149), Stratham, and Boyanup Road West Road Reserve (PIN: 1328917), Boyanup for the purpose of road widening (Figure 1 and Figure 2).
Vegetation Description	<p>The application area is mapped as Swan Coastal Plain Vegetation Complex - Guilford Complex, which is described as open forest to tall open forest and woodland.</p> <p>Photos provided by the applicant (Shire of Capel, 2017) indicate that the vegetation within the application area predominantly consists of <i>Corymbia calophylla</i> (marri) with minimal understory.</p>
Vegetation Condition	<p>Completely Degraded: No longer intact; completely /almost completely without native species (Keighery 1994); To Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).</p>
Soil type	Pinjarra p1a Phase (DPIRD 2017) - Flat to very gently undulating plain with deep acidic mottled yellow duplex soils. Shallow pale sand to sandy loam over clay; imperfect to poorly drained and generally not susceptible to salinity.

Figure 1:



Figure 2:



3. Minimisation and mitigation measures

The applicant has minimised the amount of native vegetation proposed to be cleared through the design and engineering phase. The majority of native vegetation within the road reserve will be retained.

4. Assessment of application against clearing principles

The clearing permit application is to clear up to 0.0859 hectares of native vegetation within Boyanup Road West Road Reserve (PIN: 1323149), Stratham, and Boyanup Road West Road Reserve (PIN: 1328917), Boyanup for the purpose of road widening.

The vegetation within the application area comprises of large marri trees with minimal native vegetation in the understory (Shire of Capel 2017). The vegetation is in a completely degraded (Keighery 1994) condition.

The application area has been identified as potential habitat for specially protected fauna species, including forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*), Baudin's cockatoo (*Calyptorhynchus baudinii*) and Carnaby's cockatoo (*Calyptorhynchus latirostris*) which are listed under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Black Cockatoos breed in large hollow-bearing trees, generally within woodlands or forests or in isolated trees (Commonwealth of Australia, 2012). These species nest in hollows in live or dead trees of karri, marri, wandoo, tuart, salmon gum, jarrah, flooded gum, York gum, powder bark, bullich and blackbutt (Commonwealth of Australia, 2012). The Department of Biodiversity, Conservation and Attractions (DBCA) advised that one, potentially two of the trees, within the application area are of suitable size to support breeding hollows for Black cockatoo species (DBCA 2018). Given the relatively small size (2 potential trees) the proposed clearing is not likely to have a significant impact on black cockatoo habitat and the proposed clearing may be at variance to principle (b). A fauna management condition requiring clearing to occur outside the annual breeding season (October to May) will mitigate any impacts to black cockatoos.

According to available databases, nine threatened and five priority flora species have been recorded in the local area (10 kilometre radius). Of these species, five threatened species have been recorded on similar soil or vegetation type. The closest mapped TEC is 1700m West and is a Banksia Dominated Woodland of the Swan Coastal Plain. DBCA advised that the proposed clearing will not impact on any flora or vegetation that is listed as threatened (DBCA 2018). Given the lack of understory and condition of the vegetation, it is unlikely that the application area is necessary for the continued existence of rare flora or necessary for the maintenance of a TEC.

The application area is located within the Swan Coastal Plain Interim Biogeographic Regionalisation of Australia bioregion which retains approximately 38.53 per cent of the pre-European vegetation extent and is mapped as Swan Coastal Plain vegetation complex - Guilford complex which retains five per cent of the pre-European vegetation extent (Government of Western Australia 2018). The *National Objectives and Targets for Biodiversity Conservation* includes a target that does not support the clearing of ecological communities with an extent below 30 per cent of that present pre-European settlement (Commonwealth of Australia 2001). Noting the vegetation is in a completely degraded condition, with minimal understory, it is not representative of the Guildford complex. Given the local area (10 kilometre radius) retains approximately 22.1 percent native vegetation, it is considered to be in an extensively cleared area, however the vegetation is not considered to be a significant remnant.

The application area is mapped within a Geomorphic Wetland Swan Coastal Plain Multiple Use – Palusplain. Photos of the application area (Shire of Capel 2017) do not identify any vegetation growing in, or in association with a wetland.

Land degradation mapping produced by the Department of Primary Industries and Regional Development indicates that the proposed clearing has a relatively low likelihood of causing land degradation in the forms of wind erosion, water erosion, flood risk and subsurface acidification. 30-50 percent of the map has a high to extreme wind erosion risk and high risk of salinity and greater than 70% of the map unit has a moderate to very high waterlogging risk. However, noting the linear shape and small size of the application area, the proposed clearing is not likely to cause appreciable land degradation.

Given 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, is not likely to impact on nearby conservation areas or be considered a significant remnant within an extensively cleared area.

Given the above, 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.

Planning instruments and other relevant matters.

The clearing permit application was advertised on the DWER website on 8 January 2018 for a 21 day submission period. No public submissions have been received in relation to this application.

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

5. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001–2005, Canberra.
- Commonwealth of Australia (2012) EPBC Act referral guidelines for three threatened black cockatoo species. Department of Sustainability, Environment, Water, Populations and Communities, Canberra.
- Department of Biodiversity, Conservation and Attractions (DBCA) (2018) Advice received from South West Region (A1613817).
- Department of Primary Industries and Regional Development (2018). NRInfo Digital Mapping. Department of Primary Industries and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/> (accessed 8 March 2018).
- Government of Western Australia (2018) 2017 South West Vegetation Complex Statistics. Current as of October 2017. WA Department of Biodiversity, Conservation and Attractions, Perth.
- 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
- Shire of Capel 2017 Clearing Permit Application and Supporting Documentation (DWER ref: A1571757).



1. Application details

1.1. Permit application details

Permit application No.: 7883/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Shire of Capel
Postal address: 6 Nepean Turn
MILLBRIDGE WA 6232
Contacts: Name: Mr Anthony Glen Willetts A Willetts Civil
Phone: 97253060
Email: awillettscivil@outlook.com

1.3. Property details

Property: ROAD RESERVE - 1328917, BOYANUP
ROAD RESERVE - 1323149, STRATHAM
Colloquial name:
Local Government Authority: CAPEL, SHIRE OF
DER Region: Greater Swan
DPaW District: WELLINGTON
LCDC:
Localities: STRATHAM, BOYANUP

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.0859		Mechanical Removal	Road construction or upgrades

2. Background

2.1. History

Date	Comments
06 March 2018	Anthony Willetts phoned requesting an update on the clearing permit application. Clare Bateman phoned Mr Willetts back and provided an update.
23 January 2018	REGIONAL ADVICE RECEIVED (DWER Ref A1613817). Hollow assessment or if not then restrict clearing outside of breeding season.
05 January 2018	REGIONAL ADVICE REQUEST SENT (DWER Ref A1613831)
03 January 2018	Application accepted DER REF:A1587725 . Advertised 22/12/18 for 21 days
19 December 2017	Mike Brooks (DWER) emailed Anthony Willetts (Applicant) requesting confirmation of app area (DWER Ref A1581873).
19 December 2017	Anthony Willetts (Applicant) emailed Mike BBrooks (DWER) confirming the application area size (DWER Ref A1581873)
18 December 2017	Anthony Willetts (Applicant) emailed Mike Brooks (DWER) new shapefiles (DWER Ref A1581789)
18 December 2017	Mike Brooks (DWER) emailed Anthony Willetts (Applicant) requesting new shape files. (DWER Ref A1581789)
18 December 2017	Mike Brooks requested new shape files as the previously sent shape files did not work
23 November 2017	Application received (A1571757, CEO 2969/17)

3. Contentious Issues / Notes to Decision Maker

N/A

4. Applications in the local area

Below is a table of relevant applications from the local area. Figure 1 shows the location of these in relation to the application area.

CPS Number	Applicant	Distance (m)	Decision	Conditions/comment
5015	Shire of Capel	2678	Granted	Avoid/minimise, dieback and weeds and fauna management (western ringtail possum) conditions
302	Shire of Capel	4151	Granted	Nil
636	Mr R.M. Smith	4366	Refused	
1452	B&J Catalano	3052	Granted	Revegetation, dieback and weed conditions

Figure 1:

