



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 7909/1
File Number: DER2017/002154
Duration of Permit: From 21 July 2018 to 21 July 2020

PERMIT HOLDER

Jo-Anne Patricia Griggs
Bevan Ross Griggs

LAND ON WHICH CLEARING IS TO BE DONE

Lot 28 on Plan 33482, Yallingup

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.08 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7909/1.

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. 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; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

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);
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 1 of this Permit; and
- (e) actions taken to minimise the risk of the introduction and spread of weeds in accordance with condition 2 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*.

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*;

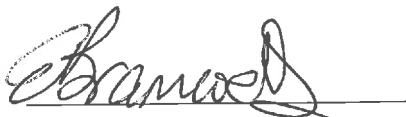
dieback means the effect of *Phytophthora* species on native vegetation;

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; 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) 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*

22 June 2018

Plan 7909/1



Legend

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



1:1,500

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

E. Bramwell Date *22/06/18*
E. BRAMWELL

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



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WESTERN AUSTRALIA
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1. Application details

1.1. Permit application details

Permit application No.: CPS 7909/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Mrs Jo-Anne Patricia Griggs
Mr Bevan Ross Griggs
Application received date: 7 December 2017

1.3. Property details

Property: Lot 28 on Deposited Plan 33482, Yallingup
Local Government Authority: City of Busselton
Localities: Yallingup

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.08		Mechanical Removal	Dam construction or maintenance

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 22 June 2018

Reasons for Decision: The clearing permit application was received by the Department of Water and Environmental Regulation (DWER) on 7 December 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 is at variance to principle (f), may be at variance to principle (i) and is not likely to be at variance to the remaining principles.

The Delegated Officer noted the extent of the proposed clearing and that impacts to the watercourse and surface water are considered to be short term, and determined that the proposed clearing is not likely to result in any unacceptable environmental impacts.

The Delegated Officer determined that the proposed clearing may increase the spread of weeds and dieback into adjacent vegetation. To minimise this impact, a condition has been placed on the permit requiring the implementation of weed and dieback management measures.

2. Site Information

Clearing Description: The application is to clear 0.08 hectares of native vegetation within Lot 28 on Deposited Plan 33482, Yallingup, for the purpose of constructing a dam.

Vegetation Description: The application area is mapped as Mattiske vegetation complex 'Cw2', Woodland of *Eucalyptus marginata* subsp. *marginata* (jarrah) - *Corymbia calophylla* (marri) on slopes and low woodland of *Melaleuca preissiana* (moonah) - *Banksia littoralis* (swamp banksia) on depressions in perhumid and humid zones (Mattiske et al., 1998).

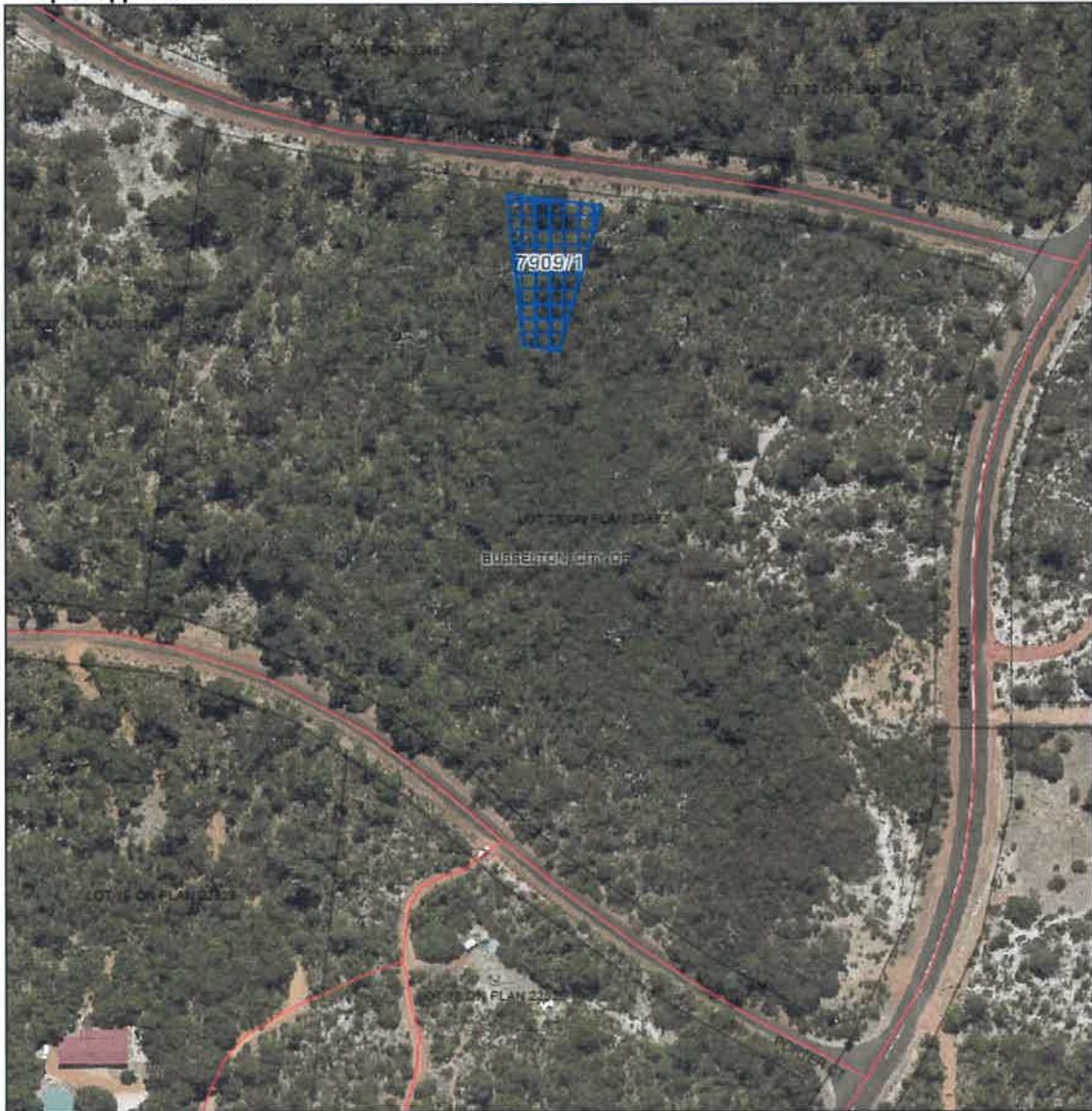
Vegetation Condition: The vegetation within the application area is considered to be in the following condition:

- Good: vegetation structure significantly altered by very obvious signs of multiple disturbance; retains basic structure or ability to regenerate (Keighery, 1994).

Soil/Landform Type: The application area is mapped as soil type 'MT8': Gently undulating terrain of broad shallow valleys and low ridges with moderate amounts of laterite and lateritic (ironstone) gravel: chief soils of the broad shallow valleys are acid grey earths sometimes containing ironstone gravels; associated are leached sands in valley deposits and outwash areas; soils containing ironstone gravels on ridges and their slopes and areas of block laterite; and minor areas of various soils on river terraces (Northcote et al., 1960-68).

Comments: The local area considered in the assessment of this application is defined as a 10 radius around the application area.

Figure 1: Map of application area



3. Assessment of application against clearing principles

The National Objectives and Targets for Biodiversity Conservation 2001-2005 include a target to have clearing controls in place that prevent clearance of ecological communities with an extent below 30 per cent of that present pre-1750 (i.e. pre-European settlement) (Commonwealth of Australia, 2001). The application area is located within the Jarrah Forest Biogeographic Regionalisation of Australia (IBRA) bioregion and the City of Busselton, which retain approximately 53 and 40 per cent of their pre-European vegetation extents respectively (Government of Western Australia, 2018b). The application area is mapped as Matisse vegetation complex 'Cw2', which retains 23 per cent of its previous extent (Government of Western Australia, 2018b). Aerial imagery indicates that the local area retains approximately 40 per cent native vegetation cover. Although vegetation complex Cw2 is below 30 per cent target threshold, noting the extent of native vegetation in the local area and the extent of the proposed clearing, the application area is not likely to comprise a significant remnant in an extensively cleared area.

According to available databases, seven rare and 26 priority rare flora species have been recorded within the local area. Based on the known ranges of these species and similarities of the soil and vegetation types within which these species have been recorded and those mapped within the application area, the application area has the potential to contain suitable habitat for the following:

- Rare flora species *Caladenia excelsa* has been recorded approximately 140 metres from the application area. This species prefers hilltops and plains (Western Australian Herbarium website). Noting that the application area is within a low-lying area associated with a watercourse, this species is not likely to occur within the application area.
- Rare flora species *Drakaea micrantha* has been recorded approximately three kilometres from the application area. This species occurs on a different soil type than is mapped within the application area, and is therefore not likely to occur within the application area.
- Priority 4 species *Eucalyptus rudis* subsp. *cratyantha* has been recorded approximately 9.5 kilometres from the application area, within the same soil and vegetation type as mapped within the application area. Priority 4 species are considered to have been adequately surveyed and not in need of special protection, but could be if circumstances change. Given this, the proposed clearing is unlikely to have an impact on the conservation status of this species if it occurs within the application area.

According to available databases, 16 threatened and 10 priority fauna species have been recorded within the local area. Based on the known ranges of these species and similarities of habitats within which these species have been recorded and those mapped within the application area, the application area has the potential to contain suitable habitat for the following:

- Forest red-tailed black-cockatoo (*Calyptorhynchus banksii* subsp. *naso*), Baudin's cockatoo (*Calyptorhynchus baudinii*) and Carnaby's cockatoo (*Calyptorhynchus latirostris*), 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 marri, jarrah, wandoo, *Eucalyptus diversicolor* (karri), *Eucalyptus gomphocephala* (tuart), *Eucalyptus salmonophloia* (salmon gum), *Eucalyptus rudis* (flooded gum), *Eucalyptus loxophleba* (York gum), *Eucalyptus accedens* (powderbark wandoo), *Eucalyptus megacarpa* (bullich) and *Eucalyptus* sp. (blackbutt) (Commonwealth of Australia, 2012). Noting the extent of the proposed clearing and the extent of native vegetation in the local area (Figure 1), the application area is not likely to comprise significant habitat for these species.
- Dunsborough burrowing crayfish (*Engaewa reducta*), listed as critically endangered under the EPBC Act. The closest record of this species are approximately 3.5 kilometres from the application area. The application area is not hydrologically connected to the location where this species has been recorded, and as the application area is located within the upper reaches of the tributary. Given this, the proposed clearing is not likely to impact on this species.

According to available databases, four threatened and four priority ecological communities have been recorded within the local area. Noting the extent of the proposed clearing and the mapped vegetation type, the application area is not likely to comprise or be necessary for the maintenance of a threatened or priority ecological community.

The application area is within a watercourse, and therefore the proposed clearing will impact on vegetation growing in association with this watercourse. Noting the mapped soil type within the application area, the proposed clearing may cause erosion and sedimentation impacting on the quality of surface water associated with this watercourse. However, noting the extent of the proposed clearing, the impacts to the watercourse and surface water are considered to be minimal and short-term.

According to available databases, a privately-managed conservation area is located approximately 400 metres from the application area. Noting the extent of remnant vegetation in the local area (Figure 1) and the size of the application area, the proposed clearing is not likely to impact on the environmental values of nearby conservation areas. Notwithstanding, the proposed clearing may increase the risk of the introduction or spread of weeds and dieback into adjacent vegetation. Implementing hygiene management practices will assist in managing this risk.

Noting the size of the application area, the proposed clearing is not likely to cause appreciable land degradation, or deterioration in the quality of underground water, cause or exacerbate the incidence or intensity of flooding.

Given the above, the assessment has found that the proposed clearing is at variance to principle (f), may be at variance to principle (i) and is not likely to be at variance to the remaining principles.

Planning instruments and other relevant matters

The application area is within the Busselton-Capel Groundwater and within the Cape to Cape North Surface Water Area, as proclaimed under the *Rights in Water and Irrigation Act 1914* (RIWI Act). As the waterway rises on the subject land and the proposed dam is of a non-commercial nature, no permit or licence is required under the RIWI Act for the proposed dam.

The City of Busselton advised that the application area is within a special control area, and that under its Local Planning Scheme No.21 the removal of native vegetation and the development of a dam requires planning approval (City of Busselton, 2018). The applicant provided a copy of the development approval from the City of Busselton for the construction of the proposed dam on 11 June 2018.

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

The clearing permit application was advertised on the DWER website on 15 January 2018 with a 21 day submission period. No public submissions have been received in relation to this application.

4. 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.
- City of Busselton (2018) Advice regarding Clearing Permit Application CPS 7909/1, provided on 22 December 2017 (DER Ref: A1595355).
- Government of Western Australia (2018a) 2017 South West Vegetation Complex Statistics. Current as of October 2017. WA Department of Biodiversity, Conservation and Attractions, Perth. Available from: <https://catalogue.data.wa.gov.au/dataset/dbca>.
- Government of Western Australia. (2018b). 2017 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of December 2017. WA Department of Biodiversity, Conservation and Attractions. Available from: <https://catalogue.data.wa.gov.au/dataset/dbca-statewide-vegetation-statistics>.
- 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.

Northcote, K.H. with Beckmann, G.G., Bettenay, E., Churchward, H.M., van Dijk, D.C., Dimmock, G.M., Hubble, G.D., Isbell, R.F., McArthur, W.M., Murtha, G.G., Nicolls, K.D., Paton, T.R., Thompson, C.H., Webb, A.A. and Wright, M.J. (1960-68): 'Atlas of Australian Soils, Sheets 1 to 10, with explanatory data'. CSIRO and Melbourne University Press: Melbourne.

GIS Databases:

- Aboriginal Sites Register
- SAC Bio Datasets accessed December 2017
- Hydrography linear
- NLWRA, Current Extent of Native Vegetation
- Pre-European vegetation
- Soils, Statewide
- Topographical Contours, Statewide