



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 8106/2
<b>Permit Holder:</b>	City of Busselton
<b>Duration of Permit:</b>	11 January 2019 to 11 January 2024

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 a shared pathway

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

Cape Naturaliste Road reserve (PIN 11411290), Dunsborough  
Hansen Street Road reserve (PIN 1277184), Dunsborough  
Marri Drive Road reserve (PIN 11294178), Dunsborough  
Crown reserve 12304, Dunsborough  
Lot 328 on Diagram 91068, Dunsborough  
Lot 329 on Diagram 91068, Dunsborough  
Lot 500 on Plan 65896, Dunsborough

#### **3. Area of Clearing**

The Permit Holder must not clear more than 0.26 hectares of native vegetation within the area cross-hatched yellow on attached Plan 8106/2.

#### **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:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

## 7. 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 known *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.

## 8. Western Ringtail Possum Management

- (a) In relation to the area cross-hatched yellow on attached Plan 8106/2, 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 8(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 8(b)(i) of this Permit must be relocated by a *fauna specialist* to *suitable habitat*.
- (d) Where fauna is identified under condition 8(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.

## **PART III – RECORD KEEPING AND REPORTING**

### 9. Record keeping

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
  - (i) 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;
  - (ii) the date(s) that the area was cleared;
  - (iii) the size of the area cleared (in hectares);
  - (iv) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 6 of this Permit;
  - (v) actions taken to minimise the risk of the introduction and spread of *dieback* and *weeds* in accordance with condition 7 of this Permit; and
  - (vi) activities in relation to condition 8 of this Permit.

### 10. Reporting

The Permit Holder must produce the records required under condition 9 of this Permit when required 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;

**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 *Biodiversity Conservation Act 2018*;

**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 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.

**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.



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Samara Rogers  
MANAGER  
NATIVE VEGETATION REGULATION

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

14 January 2019

# Plan 8106/2



## Legend

-  CPS areas approved to clear
-  Local Government Authorities
-  Cadastre
-  Roads
- Image



MGA 94  
Geocentric Datum of Australia 1994

*Samara Rogers*

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



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## 1. Application details

### 1.1. Permit application details

Permit application No.: CPS 8106/2  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: City of Busselton

### 1.3. Property details

Property: Cape Naturaliste Road reserve (PIN 11411290), Dunsborough  
Hansen Street Road reserve (PIN 1277184), Dunsborough  
Marri Drive Road reserve (PIN 11294178), Dunsborough  
Crown reserve 12304, Dunsborough  
Lot 328 on Diagram 91068, Dunsborough  
Lot 329 on Diagram 91068, Dunsborough  
Lot 500 on Plan 65896, Dunsborough  
Local Government Authority: City of Busselton  
Localities: Dunsborough

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.26	0	Cutting	Shared pathway

### 1.5. Decision on application

Decision on Permit Application: Amended  
Decision Date: 14 January 2019  
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*, and it has been concluded that the assessment against the clearing principles has not changed since the assessment of application CPS 8106/1 which can be found in Clearing Permit Decision Report CPS 8106/1.

In determining to grant a clearing permit, the Delegated Officer determined 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 0.26 hectares of native vegetation within Cape Naturaliste Road reserve (PIN 11411290), Hansen Street Road reserve (PIN 1277184), Marri Drive Road reserve (PIN 11294178), Crown reserve 12304, Lot 328 on Diagram 91068, Lot 329 on Diagram 91068 and Lot 500 on Plan 65896, Dunsborough for the purpose of constructing a shared pathway.

**Vegetation Description:** The vegetation within the application area is mapped as:

- South West Forest vegetation complex Wilyabrup (Ww2), described as tall open forest of *Corymbia calophylla*-*Agonis flexuosa* on flats and valleys in perhumid and humid ones; and as
- Swan Coastal Plain vegetation complex Southern River Complex, described as open woodland of *Corymbia calophylla* (Marri) - *Eucalyptus marginata* (Jarrah) - *Banksia* species with fringing woodland of *Eucalyptus rudis* (Flooded Gum) - *Melaleuca raphiophylla* (Swamp Paperbark) along creek beds (Government of Western Australia, 2018).

A survey of vegetation units was undertaken by Ecoedge in 2017, and included the application area. The flora and vegetation survey included recording of vegetation structure and species composition at 27 assessment points; three vegetation units were recognised within the application area:

- Woodland on Abba deep sandy rises (grey sand) (AbABd) (inferred to be a TEC under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)), described as scattered trees of *Corymbia calophylla* over a woodland or low woodland of *Allocasuarina fraseriana*, *Banksia attenuata*, *Banksia grandis*, *Banksia ilicifolia*, *Eucalyptus marginata* and *Xylomelum occidentale* over open heath/low open heath dominated by *Hakea ruscifolia*, *Jacksonia furcellata*, *Daviesia horrida*, *Melaleuca thymoides*, *Hibbertia hypericoides*, *Acacia pulchella*, *Acacia mooreana*, *Stirlingia latifolia*, *Dasyogon bromeliifolius* and *Xanthorrhoea preissii* over open sedgeland of *Phlebocarya ciliata*, *Hypolaena exsulca*, *Tetraria octandra*, *Lyginia barbata* and scattered herbs including *Stylidium repens* and *Burchardia congesta*;

- Woodland on Abba deep sandy rises (yellow-brown sandy loam) (AbABd) (inferred to be a TEC under the EPBC Act), described as woodland to open forest of *Corymbia calophylla* and *Eucalyptus marginata* over *Agonis flexuosa*, *Banksia grandis* and scattered *Allocasuarina fraseriana* and *Banksia attenuata* over open heath dominated by *Xylomelum occidentale*, *Jacksonia furcellata*, *Daviesia horrida*, *Adenanthos meisneri* and *Acacia pulchella* over scattered low open shrubland of *Acacia mooreana*, *Hibbertia hypericoides*, *Hibbertia cunninghamii* and *Dampiera linearis* and open sedgeland of *Hypolaena pubescens*, *Lepidosperma squamatum*, *Mesomelaena tetragona*, *Tetraria capillaris* and *Tetraria octandra*; and
- Low Open forest on Abba deep sandy rises (dampland) (AbABd) (inferred to be a Priority1 PEC by the Department of Biodiversity, Conservation and Attractions (DBCA)), described as low closed forest to closed forest of *Melaleuca raphiophylla*, *M. preissiana*, *Agonis flexuosa* and *Banksia littoralis* with scattered emergent *Corymbia calophylla* over tall open scrub of *Acacia divergens*, *Acacia saligna*, *Dasyopogon hookeri*, *Jacksonia furcellata*, *Taxandria linearifolia*, *Astartea* sp. *Gingalup*, *Kunzea glabrescens*, *Viminaria juncea* and *Xanthorrhoea preissii* over sedgeland of *Cyathochaeta clandestina*, *Schoenus laevigatus* or (locally) *Lepidosperma longitudinale* (Ecoedge, 2017).

**Vegetation Condition:** Excellent: vegetation structure intact, disturbance affecting individual species and weeds are non-aggressive species; to  
Good: vegetation structure significantly altered with obvious signs of multiple disturbance. Retains basic vegetation structure or ability to regenerate. (Keighery, 1994).

The condition of the vegetation within the application was determined based on the flora and vegetation survey by Ecoedge (2017).

**Soil/Landform Type:** The majority of the application area is mapped as Abba deep sandy rises Phase (213AbABd), described as gently sloping low dunes and rises (0-5 per cent gradients) with deep bleached sands, with a minor portion of the application area mapped as Wilyabrup gentle slope, described as gradients 5-10 per cent (DPIRD, 2017).

**Comments:** The local area referred to in the assessment of this application is defined as a 10 kilometre radius measured from the perimeter of the application area.

### 3. Assessment of application against clearing principles

This amendment is a result of an administrative error on clearing permit CPS 8106/1 incorrectly stating the permit duration as 11 January 2018 to 11 January 2024, as opposed to 11 January 2019 to 11 January 2024. A review of current environmental information reveals no new additional information since the assessment of application 8106/1. The assessment against the clearing principles has therefore not changed and can be found in the Clearing Permit Decision Report CPS 8106/1.

### Planning instruments and other relevant matters

The assessment against planning and other matters has not changed and can be found within Clearing Permit CPS 8106/1 Decision Report.

### 4. References

- Department of Primary Industries and Regional Development (DPIRD) (2017). NRInfo Digital Mapping. Accessed at <https://maps.agric.wa.gov.au/nrm-info/> Accessed September 2018. Department of Primary Industries and Regional Development. Government of Western Australia.
- Ecoedge (2017). Report of a Supplementary Rare Flora and Vegetation survey along Cape Naturaliste Road, Dunsborough. Prepared for SW Environmental by Ecoedge in December 2017. Received by DWER on 19 June 2018 (DWER ref: A1693611).
- Government of Western Australia. (2018). 2017 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of December 2017. WA Department of Biodiversity, Conservation and Attractions. <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.