



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 8156/1
File Number: DER2018/001220
Duration of Permit: From 16 March 2019 to 16 March 2021

PERMIT HOLDER

Gregory Consulting Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Lot 102 on Deposited Plan 401620, Bramley

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than nine native trees within the area hatched yellow on attached Plan 8156/1.

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. Western Ringtail Possum Management

- (a) In relation to the area cross-hatched yellow on attached Plan 8156/1, 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 2(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 2(b)(i) of this Permit must be relocated by a *fauna specialist* to *suitable habitat*.
- (d) Where fauna 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.

3. 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 (number of trees);
 - (iv) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 1 of this Permit; and
 - (v) of records required under condition 2 of this Permit.

4. Reporting

The Permit Holder must produce the records required under condition 3 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*;

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 Regulations 2018*;

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.



Mathew Gannaway
MANAGER
NATIVE VEGETATION REGULATION

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

14 February 2019

Plan 8156/1

33.9192°S

33.9192°S

115.099805°E

115.105318°E






115.099805°E

115.105318°E

33.921744°S

33.921744°S

Legend

-  Imagery
-  Cadastre
-  Clearing Instruments Activities



1:2,701

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

Date 14/02/2019

Mathew Gannaway

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.: 8156/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Gregory Consulting Pty Ltd
Application received date: 19 July 2018

1.3. Property details

Property: Lot 102 on Deposited Plan 401620
Local Government Authority: Augusta-Margaret River, Shire of
Localities: Bramley

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
	9	Mechanical Removal	Dam Construction

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 14 February 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* (EP Act). It has been concluded that the proposed clearing is at variance to Principle (f), may be at variance to Principle (b) and is not likely to be at variance to the remaining clearing Principles.

It has been determined that the proposed clearing may impact on Western Ringtail Possums if present at the time of clearing. To mitigate the potential impact to this species, a fauna management condition has been placed on the permit to ensure that no individuals are present at the time of clearing.

In determining to grant a clearing permit subject to conditions, the Delegated Officer found that the proposed clearing is unlikely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description The application is to clear nine native *Agonis flexuosa* trees for dam construction within the abovementioned Lot (Figure 1).

Vegetation Description The vegetation within the application area consists of nine isolated *Agonis flexuosa* trees (five juvenile and four mature), over paddock grasses (Gregory Consulting, 2018).

Vegetation Condition Vegetation condition within this assessment has been assessed using the vegetation condition scale developed by Keighery (1994). All references to vegetation condition throughout this assessment therefore, reference this scale.

Analysis of digital aerial imagery and photos provided with the application indicates that no understorey is present and the vegetation is in a completely degraded (Keighery, 1994) condition, which is described as; the structure of the vegetation is no longer intact and the area is completely or almost completely without native species. These areas are often described as 'parkland cleared' with the flora comprising weed or crop species with isolated native trees or shrubs.

Local area The local area is defined as 10 kilometres from the edge of the application area (Figure 2).



Figure 1: Vegetation under application.



Figure 2: Vegetation within the local area.

3. Minimisation and mitigation measures

"The siting of the dam was determined to minimise clearing and therefore moved westward as far as economically possible," (Gregory Consulting, 2018).

4. Assessment of application against clearing principles

The vegetation within the application area is described as nine isolated *Agonis flexuosa* trees (five juvenile and four mature), over paddock grasses (Figure 1). The local area retains approximately 50 per cent of its pre European vegetation and significant large remnants of native vegetation occur in close proximity to the application area (Figure 2). Given this, and the isolated, relatively small application area, the proposed clearing is not likely to form part of, or impact upon, an ecological linkage and the vegetation within the application area is not a significant remnant within a highly cleared landscape.

Keenan State Forest occurs 300-600 meters to the east, west and south of the application area. Given the extent of vegetation within the local area, the isolated nature of the application area and lack of understory, the proposed clearing is not likely to impact on the environmental value of this or any other conservation reserve.

Given the completely degraded condition of the vegetation, rare and priority flora are not likely to be present within the application area and the nine trees are not representative of a priority or threatened ecological community (PEC or TEC). Given this and the position of the application area within the landscape, the proposed clearing is not likely to impact on, or include a TEC, PEC, threatened or priority flora.

Numerous conservation significant fauna species have been recorded within the local area. Given the habitat present within the application area, the application area provides suitable habitat for one of those species. The Western Ringtail Possum occurs within the South West of Western Australia, with *Agonis flexuosa* forming a core habitat requirement. Given the presence of *Agonis*, the vegetation within the application area includes habitat for this species. Noting the extent of suitable habitat in better condition within the nearby Keenan State Forest, the majority of the proposed clearing contains juvenile trees, and is an isolated patch that does not form an ecological linkage, the application area is not likely to contain significant habitat for this species. However, the proposed clearing may impact individuals that are present at the time of clearing. Ensuring no Western Ringtail Possum's are present at the time of clearing is likely to mitigate the potential impact to individuals.

One minor watercourse, originating within the property, transects the application area. Given this, the proposed clearing includes vegetation growing in association with a watercourse however, impacts are likely to be minimal and short term and not significant.

As no understorey is present, given the relatively small size of the application area and the minor nature of the watercourse within the application area; the proposed clearing is not likely to cause land degradation, impact on the quality of groundwater or surface water and is not likely to cause or exacerbate flooding.

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

5. Planning instruments and other relevant matters

The South West Water Licencing region of the Department of Water and Environmental Regulation (DWER) has advised that the subject property is located within the Margaret River and Tributaries surface water area, as proclaimed under the *Rights in Water and Irrigation Act 1914*. Any taking or diversion of surface water in this proclaimed area (whether by direct pumping, construction of a dam, or excavation) can be subject to licencing. A permit to interfere with the bed or banks of a watercourse has been assessed and it has been determined that a permit can be granted, subject to the granting of a Clearing Permit (DWER, 2018).

The Shire of Augusta Margaret River has granted Planning Approval for the development of the dam.

No aboriginal sites of significance are mapped within the application area.

The clearing permit application was advertised on the DWER website on 6 September 2018 with a 14 day submission period. No public submissions have been received in relation to this application.

6. References

DWER (2018) South West Regional Planning advice received in relation to CPS 8156/1. Received 11 December 2018 (DWER ref: A1747037).

Gregory Consulting (2018) Application for clearing permit CPS 8156/1, lot 102-176 Osmington Rd Bramley WA. Received 6 August 2018 (DWER ref: A1717014).

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

Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Biodiversity Conservation and Attractions. <http://florabase.dbca.wa.gov.au/> (Accessed September 2018).

GIS Databases:

- Aboriginal Sites of Significance
- Department of Biodiversity, Conservation and Attractions, Tenure
- Conservation managed reserves
- Hydrography, COG Hydro
- Hydrography, General Hydro
- Hydrography, Wetlands
- Land degradation risk categories
- SAC bio-datasets