



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 8259/1

File Number: DWERVT1796

Duration of Permit: From 16 January 2019 to 16 January 2021

PERMIT HOLDER

City of Busselton

LAND ON WHICH CLEARING IS TO BE DONE

Lot 4747 on Deposited Plan 185033, Kalgup

Gordon Road reserve (PIN 11620807), Bovell

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 30 native trees within the area cross-hatched yellow on attached Plan 8259/1.

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. 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*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *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. Western Ringtail Possum Management

- (a) In relation to the area cross-hatched yellow on attached Plan 8259/1, 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 western ringtail possum(s) (*Pseudocheirus occidentalis*).
- (b) Clearing must cease in any area where fauna referred to in condition 3(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 3(b)(i) of this Permit must be relocated by a *fauna specialist* to *suitable habitat*.

- (d) Where fauna is identified under condition 3(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.

4. 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;
- (e) actions taken to minimise the risk of the introduction and spread of *weeds* in accordance with condition 2 of this Permit; and
- (f) activities in relation to condition 3 of this Permit.

5. Reporting

The Permit Holder must provide to the *CEO* the records required under condition 4 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*;

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;

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 Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

A handwritten signature in black ink, appearing to read 'S Rogers', written over a horizontal line.

Samara Rogers
MANAGER
NATIVE VEGETATION REGULATION

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

19 December 2018

Plan 8259/1

115°23.136'E

115°23.160'E

115°23.184'E

115°23.208'E

33°41.832'S

33°41.832'S

33°41.856'S

33°41.856'S

33°41.880'S

33°41.880'S




115°23.136'E

115°23.160'E

115°23.184'E

115°23.208'E

Legend

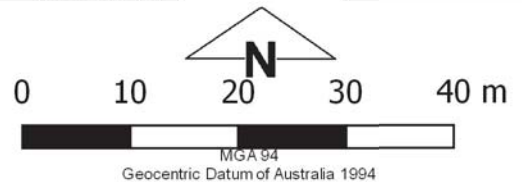
 Areas approved to clear
base layers

 Cadastre

 Local Government Authorities

 Roads

Image



Samara Rogers

2018.12.19

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



GOVERNMENT OF
WESTERN AUSTRALIA



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8259/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: City of Busselton
Application received date: 19 November 2018

1.3. Property details

Property: LOT 4747 ON DEPOSITED PLAN 185033, KALGUP
ROAD RESERVE - 11620807, BOVELL
Local Government Authority: BUSSELTON, CITY OF
Localities: KALGUP and BOVELL

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
	30	Mechanical Removal	Recreation

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 19 December 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.

Through the assessment it was determined that the application area comprises ten trees that may provide suitable habitat for western ringtail possums. The Delegated officer noted the small amount of clearing proposed, the condition of the vegetation within the application area, and that larger areas of potentially suitable habitat occur in the surrounding area. The Delegated Officer determined that the proposed clearing may impact on any western ringtail possum individuals utilising the application area at the time of clearing.

To minimise direct impacts to individual western ringtail possums, a fauna management condition requiring a fauna specialist to check the trees within the application area prior to clearing, and to remove and relocate any western ringtail possum individuals identified to any area of nearby suitable habitat.

The proposed clearing may increase the risk of weeds spreading into adjacent vegetated areas. A weed management condition has been placed on the permit to mitigate the impact of spreading weeds and dieback.

In determining to grant a clearing permit subject to conditions, 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 to clear 30 native trees within Lot 4747 on Deposited Plan 185033, Kalgup, and Gordon Road reserve (PIN 11620807), Bovell, for the purpose of expanding the existing Busselton Kart Club pit.

Vegetation Description The application area is mapped as Southern River Complex which is 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" (Hedde et al., 1980).

The City of Busselton has advised that the 30 trees under application comprise 13 marri (*Corymbia calophylla*) trees, three woody pear (*Xylomelum occidentale*) trees, three paperbark (*Melaleuca* sp.) trees, ten peppermint (*Agonis flexuosa*) trees, and one *Persoonia* sp. tree (City of Busselton, 2018).

Vegetation Condition Aerial imagery indicates that the application area comprises trees within an area that has been historically parkland cleared and is in the following condition:

Degraded: Basic vegetation structure severely impacted by disturbance; scope for regeneration but not to a state approaching (Keighery, 1994).

Soil Type

The application area has been mapped as Bassendean Golf Course deep sandy rises Phase which is described as "Gently sloping low dunes and rises (0-5% gradients) with deep bleached sands" (Schoknecht et al., 2004).

3. Assessment of application against clearing principles

The application is to clear 30 native trees within Lot 4747 on Plan 185033, Kalgup, and Gordon Road Reserve (PIN 11620807), Bovell, for the purpose of expanding the existing race pit of the Busselton Kart Club.

Noting the species identified within the application area, lack of understorey, and its small size, the application area is not likely to impact upon any rare or priority flora species, is unlikely to comprise the whole or a part of, or be necessary for the maintenance of a priority ecological community or threatened ecological community and is not considered to comprise a high level of biological diversity.

According to available databases, forest red-tailed black cockatoo (*Calyptorhynchus banksii subsp. naso*), Baudin's cockatoo (*Calyptorhynchus baudinii*) and Carnaby's cockatoo (*Calyptorhynchus latirostris*) (collectively known as black cockatoos) have been recorded within the local area. The application area contains 13 *Corymbia calophylla* (Marri) trees, which are favoured as breeding habitat for black cockatoos (City of Busselton, 2018). Black cockatoos have a preference for foraging habitat that includes jarrah and marri woodlands and forest heathland and woodland dominated by proteaceous plant species such as *Banksia sp.*, *Hakea sp.*, and *Grevillea sp.* (Commonwealth of Australia, 2012). Photos provided by the applicant indicate that all 13 trees have a diameter at breast height (DBH) of less than 500 millimetres (City of Busselton, 2018a). Given this, the trees are not considered to provide suitable breeding habitat for black cockatoos, however are suitable foraging habitat for black cockatoos. Given the limited number proposed to be cleared, the application area is not likely to comprise significant foraging habitat for black cockatoos.

The application area contains ten *Agonis flexuosa* trees (City of Busselton, 2018) which are favourable habitat for the western ringtail possum (WRP) (*Pseudocheirus occidentalis*). While the proposed clearing is not likely to significantly impact on the core habitat of this species (noting the extent of clearing), given that WRP may be utilising the peppermint trees within the application area, the proposed clearing may directly impact on individuals of this species. To minimise impacts to WRP, a fauna management condition has been included on the clearing permit, requiring the presence of a fauna specialist to check habitat trees prior to clearing, and remove and relocate any individuals WRP identified to any area of nearby suitable habitat. This will help to mitigate direct impacts to WRP individuals.

The application area is not considered to provide significant habitat for any other fauna species.

The National Objectives and Targets for Biodiversity Conservation include a target to prevent the clearance of ecological communities with an extent below 30 per cent of that present pre-European settlement (Commonwealth of Australia, 2001). The application area falls within the Swan Coastal Plain Interim Biogeographic Regionalisation of Australia (IBRA) bioregion and is mapped as the Swan Coastal Plain Southern River complex, retaining 38.57 per cent and 18.42 per cent of their pre-European vegetation extents respectively (Government of Western Australia 2018a; Government of Western Australia 2018b). While the mapped vegetation complex is below the 30 per cent threshold, given that the application area comprises 30 trees over bare understorey, the application area is not considered to be truly representative of the Southern River complex. Therefore, the application area is not likely to be a significant remnant in an area that has been extensively cleared.

According to available databases, no conservation estates have been mapped within, or adjacent to the application area. Therefore, the application area is unlikely to have an impact on the environmental values of any conservation areas.

There are no wetlands or watercourses mapped within the application area, and noting the minimal extent of clearing proposed, it is not likely to impact on the water quality of any surrounding wetlands or watercourses, cause land degradation, deteriorate the quality of groundwater or cause or exacerbate flooding.

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

Planning instruments and other relevant matters

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

The majority of the application area is zoned for recreation under the town planning scheme.

The clearing permit application was advertised on the DWER website on 30 November 2018 with a 14 day submission period. One public submission has been received in relation to this application. The submission raised concerns regarding significant impacts to WRP and Carnaby's cockatoos, these concerns have been addressed in clearing principle (b).

In addition, the submission questioned whether other alternatives had been explored. An avoid and minimise condition has been placed on the permit requiring the Permit Holder to have regard to avoiding or minimising the amount of native vegetation to be cleared.

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.
- Commonwealth of Australia (2009) Significant impact guidelines for the vulnerable western ringtails possum (*Pseudocheirus occidentalis*) in the southern Swan Coastal Plain, Western Australia.
- City of Busselton (2018) Proposed trees for removal details. Received on 19 November 2018. Busselton Kart Club, Perth (DWER A1742309).
- Government of Western Australia (2018a) 2017 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of February 2018. WA Department of Parks and Wildlife, Perth.
- Government of Western Australia (2018b) 2017 South West Vegetation Complex Statistics. Current as of October 2017. WA Department of Parks and Wildlife, 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.
- Schoknecht et al. (2004) Soil-landscape mapping in south-Western Australia: an overview of methodology and outputs, Department of Agriculture and Food, Perth.
- Submission (2018) Received in relation to Clearing Permit Application CPS 8259/1 on 13 December 2018 (DWER A1748629).

5. GIS databases

- Aboriginal sites of significance
- Department of Biodiversity, Conservation and Attractions
- Sac bio datasets accessed November 2018
- Geomorphic Wetlands
- Hydrography, linear
- Hydrography, hierarchy