



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8313/1
Permit Holder:	City of Busselton
Duration of Permit:	28 April 2019 – 28 April 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 providing line of sight.

2. Land on which clearing is to be done

Chain Avenue road reserve (PIN 11621026), Marybrook

3. Area of Clearing

The Permit Holder must not clear more than seven native trees within the areas hatched yellow on attached Plan 8313/1.

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.

PART II – MANAGEMENT CONDITIONS

5. 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.

6. 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*:

- clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- ensure that no known *dieback* or weed-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

7. Western Ringtail Possum Management

- (a) In relation to the areas cross-hatched yellow on attached Plan 8313/1, 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 7(a) 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(s) individuals removed in accordance with condition 7(b)(i) of this Permit must be relocated by a *fauna specialist* to *suitable habitat*.
- (d) Where fauna is identified under condition 7(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

8. Records must be kept

The Permit Holder must maintain the following 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;
- (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 5 of the Permit;
- (e) actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 6 of the Permit; and
- (f) actions taken in accordance with condition 7.

9. Reporting

The Permit Holder must provide to the *CEO* the records required under condition 8 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;

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, or who is approved by the *CEO* as a suitable fauna specialist for the bioregion, 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;

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; 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) published in a Department of Biodiversity, Conservation and Attractions Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

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by Abbie
Crawford
Date: 2019.03.29
09:09:52 +08'00'

Abbie Crawford
MANAGER
NATIVE VEGETATION REGULATION

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

29 March 2019

Plan 8313/1

33.657503°S

33.657503°S

115.178911°E

115.187339°E



Legend

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



1:2,500

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

Abbie Crawford
Date: 2019.03.29 09:14:47 +08'00'

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



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Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8313/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: City of Busselton
Application received date: 27 December 2018

1.3. Property details

Property: CHAIN AVENUE ROAD RESERVE (PIN 11621026), MARYBROOK
Local Government Authority: BUSSELTON, CITY OF
Localities: MARYBROOK

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
	7	Mechanical Removal	Miscellaneous

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 29 March 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 may be at variance to principle (b) and is not likely to be at variance to the remaining principles.

The Delegated Officer determined that the application area may contain suitable habitat for threatened fauna. To address this matter, the clearing permit contains a condition requiring the Permit Holder to inspect the trees prior to clearing, and where use by threatened fauna is evident, to move the fauna to suitable adjoining habitat.

The Delegated Officer notes that the clearing may impact on an ecological corridor if trees surrounding the applied trees are damaged. The Permit Holder will be required to avoid and minimise the environmental impacts during the removal of the applied trees.

The Delegated Officer notes that the proposed clearing may indirectly impact on the environmental values of adjacent vegetation through the introduction or spread of weeds and dieback. To address this matter, the clearing permit contains a condition requiring the Permit Holder to implement weed and dieback management measure.

In determining to grant a clearing permit the Delegated Officer determined that the proposed clearing is of low risk and is not likely to have any significant environmental impacts.

2. Site Information

Clearing Description The application is to clear 7 native trees within Chain Avenue road reserve (PIN 11621026), Marybrook

Vegetation Description The application area is mapped as South West vegetation Qw complex, open forest of *Eucalyptus marginata* subsp. *marginata* - *Corymbia calophylla* on slopes in the humid zone.

Vegetation Condition Completely Degraded; No longer intact, completely/almost completely without native species (Keighery, 1994).

3. Assessment of application against clearing principles

The application is to clear 7 native trees, for the purpose of providing line of sight along Chain Avenue, Marybrook (PIN 11621026). The trees under application are mostly *Agonis flexuosa* with one *Eucalyptus rudis* (DBCA, 2019), in an area that is in completely degraded condition (Keighery, 1994).

The application area has been identified as a potential habitat for specially protected fauna species, including Baudin's cockatoo (*Calyptorhynchus baudinii*) and Carnaby's cockatoo (*Calyptorhynchus latirostris*) which are listed as endangered 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 application area has also been identified as a

potential habitat for western ringtail possum (*Pseudocheirus occidentalis*) which is listed as critically endangered under the (EPBC Act).

The Department of Biodiversity, Conservation and Attractions (2019) advise that the applied trees are unlikely to provide foraging or breeding habitat for black cockatoo species, but are highly likely to provide habitat for western ringtail possums. As the local area has been extensively cleared, the canopies of trees under application form part of a significant ecological corridor, along the larger Chain Avenue road reserve, for the movement of the western ringtail possum (DBCA, 2019). DBCA (2019) advise that the connectivity of the corridor can be maintained, provided that the trees surrounding the application area are not damaged during the proposed clearing.

Nineteen priority flora and six threatened flora have been recorded within ten kilometres of the application area, all being shrub or understorey species. As only selective trees are being removed, priority or threatened flora are not likely to be impacted.

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). The application area is located within the Swan Coastal Plain (IBRA) bioregion and within the mapped South West Forests vegetation Qw complex which retain approximately 39 and 38 per cent of their pre-European vegetation extents respectively (Government of Western Australia, 2018a; Government of Western Australia, 2018b). Aerial imagery indicates that the local area (10 kilometres radius) is highly cleared with approximately 12 per cent native vegetation cover remaining. While the local area has been extensively cleared, noting the size of the application area (seven native trees) and the condition of the vegetation, the proposed clearing is unlikely to comprise a significant remnant.

The closest conservation reserve, Locke Nature Reserve, is located 3800 metres east of the application area. Given the distance to this reserve from the application area, the proposed clearing will not impact upon the environmental values of this reserve.

The applied trees are in an area mapped as a palusplain wetland. The wetland ecosystem, however, no longer exists as the area has been drained and cleared for agriculture. Given the relatively small size of the applied clearing, it is unlikely to contribute to or cause land degradation, deteriorate the quality of ground water or surface water and is not likely to cause or exacerbate flooding.

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

Planning instruments and other relevant matters.

The application area is zoned agriculture under the town planning

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

The clearing permit application was advertised on the DWER website on 23 January 2019 with a 21 day submission period. No public submissions have been received in relation to this application.

4. References

- Department of Biodiversity, Conservation and Attractions (DBCA) (2019) Advice regarding Clearing Permit Application CPS 8313/1, provided on 22 December 2017 (DWER Ref: A1767678).
- 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: Carnaby's cockatoo, Baudin's cockatoo and Forest red-tailed black cockatoo. Commonwealth of Australia
- 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.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.