GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8331/2
Permit Holder:	Shire of Augusta Margaret River
Duration of Permit:	12 July 2019 to 12 July 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 removal of trees with unacceptable risk rating.

2. Land on which clearing is to be done

Lot 35 on Plan 28750, Augusta
Lot 38 on Plan 222043, Augusta
Lot 404 on Plan 206431, Augusta
Lot 405 on Plan 222043, Augusta
Lot 442 on Plan 209270, Augusta
Lot 485 on Plan 175288, Augusta
Lot 828 on Plan 215150, Augusta
Lot 857 on Plan 188703, Augusta
Lot 858 on Plan 188703, Augusta
Road Reserve - 1348894, Augusta
Road Reserve - 1348906, Augusta
Road Reserve - 11396552, Augusta

3. Area of Clearing

The Permit Holder must not clear more than 100 native trees within the area shaded yellow on attached Plan 8331/2.

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:

(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.

7. Dieback and weed control

When undertaking any clearing 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. Direction of clearing

The Permit Holder shall conduct clearing in a progressive manner from one direction to the other (e.g. east to west) to allow fauna to move into adjacent native vegetation ahead of the clearing activity.

9. Fauna management – pre-clearing inspections

(a) In relation to the area cross hatched yellow on attached Plan 8331/2, the Permit Holder must engage a *fauna specialist* to inspect each tree to be removed immediately prior to, and for the duration of, clearing for the presence of western ringtail possum(s) (*Pseudocheirus occidentalis*), *black cockatoo* species, and *habitat tree(s)* suitable to be used for nesting by *black cockatoo* species.
(b) Clearing must cease in any area where western ringtail possum(s) referred to in condition 9(a) above are identified until either:
    (i) the individual(s) has moved on from that area to adjoining *suitable habitat*; or
    (ii) the individual(s) has been removed by a *fauna specialist*.
(c) Any western ringtail possum (*Pseudocheirus occidentalis*) individuals removed in accordance with condition 9(b)(ii) of this Permit must be relocated by a *fauna specialist* to *suitable habitat*.
(d) Any trees to be removed that are identified as a *habitat tree(s)* for *black cockatoo* species referred to in condition 9(a) above, must be inspected by a *fauna specialist* immediately prior to, and for the duration of, clearing for the presence of breeding individual(s) and/or offspring.
(e) Where a *black cockatoo* individual(s) referred to in conditions 9(a) or 9(d) above is identified in a tree to be removed, clearing activities must cease until that tree has been determined by a *fauna specialist* to no longer be in use for that breeding season.

10. Revegetation - mitigation

For every peppermint (*Agonis flexuosa*) to be removed under this Permit, the Permit Holder must *plant* at least two peppermint (*Agonis flexuosa*) within the area cross hatched yellow on attached Plan 8331/2.

PART III - RECORD KEEPING AND REPORTING

11. Records must be kept

The Permit Holder must maintain the following records for activities done in 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;
    (ii) the date that the clearing occurred;
    (iii) the direction that clearing occurred;
    (iv) the species of tree cleared;
    (v) the number of trees cleared; and

(vi) evidence that any trees to be removed have been appropriately assessed by an arborist as posing an unacceptable risk to safety.

(b) Actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 6 of the Permit.

(c) Actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 7 of the Permit.

(d) Where a western ringtail possum(s) (*Pseudocheirus occidentalis*) is identified under condition 9(a) of this Permit, the Permit Holder must provide the following records to the *CEO* as soon as practicable:
   (i) the time(s) and date(s) of inspection by the *fauna specialist*;
   (ii) a description of the *fauna specialist* inspection methodology employed;
   (iii) the number of individuals identified;
   (iv) the date each individual was identified;
   (v) 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;
   (vi) the number of individuals removed and relocated;
   (vii) the date each individual was removed;
   (viii) the date each individual was relocated;
   (ix) 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
   (x) details pertaining to the circumstances of any death of, or injury sustained by, an individual.

(e) Where a *black cockatoo* individual(s) or a *suitable nesting tree* for *black cockatoo* species is identified under condition 9(a) of this Permit, the Permit Holder must provide the following records to the *CEO* as soon as practicable:
   (i) the time(s) and date(s) of inspection by the *fauna specialist*;
   (ii) a description of the *fauna specialist* inspection methodology employed;
   (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 species name of each *black cockatoo* identified;
   (v) a description of the evidence of current or past breeding use observed for each *black cockatoo habitat tree* identified;
   (vi) a photo of each *black cockatoo habitat tree* with evidence of current or past breeding use identified;
   (vii) for each *black cockatoo habitat tree* with evidence of current breeding use:
      (1) the time and date it was determined to no longer be in use for that breeding season; and
      (2) the evidence by which it was determined to no longer be in use for that breeding season.
   (viii) the time and date each *black cockatoo breeding tree* with evidence of current or past breeding use was cleared; and
   (xi) details pertaining to the circumstances of any death of, or injury sustained by, an individual.

(f) In relation to the planting of peppermint (Agonis flexuosa) trees pursuant to condition 10 of this Permit:
   (i) a description of the *planting* activities undertaken;
   (ii) the location of *planting* recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees; and
   (iii) the date that *planting* occurred.

12. Reporting

(a) The Permit Holder must provide to the *CEO* on or before 30 June of each year, a written report:
   (i) of records required under condition 11 of this Permit; and
   (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year.

(b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar, a written report confirming that no clearing under this permit has been carried out, must be provided to the *CEO* on or before 30 June of each year.
(c) Prior to 12 March 2024, the Permit Holder must provide to the *CEO* a written report of records required under condition 11 of this Permit where these records have not already been provided under condition 12(a) of this Permit.

DEFINITIONS
The following meanings are given to terms used in this Permit:

black cockatoo species include Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksii* subsp. *naso*), Baudin's Cockatoo (*Calyptorhynchus baudinii*) and Carnaby's Cockatoo (*Calyptorhynchus latirostris*);

black cockatoo breeding tree means a *habitat tree(s)* with evidence of past or current breeding use by *black cockatoo* species as determined by a *fauna specialist*;

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 two 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 2016;*

fill means material used to increase the ground level, or fill a hollow;

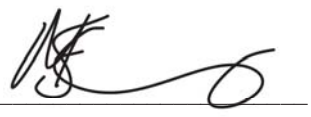
habitat tree(s) means trees that have a diameter, measured at 1.5m above the ground, of 50cm or greater, that contain one or more hollows suitable for *black cockatoos*;

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;

planting means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of Peppermint (*Agonis flexuosa*);

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



Mathew Gannaway
MANAGER
NATIVE VEGETATION REGULATION

Officer delegated under Section 20
of the Environmental Protection Act 1986

2 December 2019

Plan 8331/2

Legend

- CPS areas approved to clear
- Road Centrelines
- Cadastre - LGATE 218
- Local Government Authorities

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Officer delegated under section 20 of the Environmental Protection Act 1986

GOVERNMENT OF WESTERN AUSTRALIA

Government of Western Australia
Department of Water and Environmental Regulation

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.:	8331/2
Permit type:	Purpose Permit

1.2. Applicant details

Applicant's name:	Shire of Augusta-Margaret River
Application received date:	1 November 2019

1.3. Property details

Property:	Lot 35 On Plan 28750, Augusta Lot 38 On Plan 222043, Augusta Lot 404 On Plan 206431, Augusta Lot 405 On Plan 222043, Augusta Lot 442 On Plan 209270, Augusta Lot 485 On Plan 175288, Augusta Lot 828 On Plan 215150, Augusta Lot 857 On Plan 188703, Augusta Lot 858 On Plan 188703, Augusta Road Reserve - 1348894, Augusta Road Reserve - 1348906, Augusta Road Reserve - 11396552, Augusta
Local Government Authority:	Shire of Augusta-Margaret River
Localities:	Blackwood

1.4. Application

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

1.5. Decision on application

Decision on Permit Application:	Granted
Decision Date:	2 December 2019

Reasons for Decision:

On 12 June 2019, Clearing Permit CPS 8331/1 was granted to clear up to 100 native trees for the purpose of removing trees with an unacceptable risk rating. An appeal was lodged against the grant of this permit.

This clearing permit amendment gives effect to the determination of the Minister for Environment (Minister) to partly allow appeal C035 of 2019. The Minister has requested the Department of Water and Environmental Regulation (DWER) make the following amendements to the conditions of Clearing Permit CPS 8331/1:

- Condition 9(a) is amended to require inspections of trees to be removed immediately prior to clearing by a fauna specialist to include inspection for black cockatoo species and habitat trees suitable for nesting by black cockatoo species;
- Condition 9(d) is added to require trees to be removed that are identified as habitat trees for black cockatoo species under condition 9(a) to be inspected by a fauna specialist for breeding individuals and offspring immediately prior to clearing;
- Condition 9(e) is added to require clearing activities to cease where a black cockatoo individual identified in a tree to be removed under conditions 9(a) or 9(d), until that tree has been determined by a fauna specialist to no longer be in use for that breeding season;
- Condition 11(a)(vi) is added to require records to be kept of evidence that any trees to be removed have been appropriately assessed by an arborist as posing an unacceptable risk to safety;
- Condition 11(d)(i) and (ii) are added to require records to be kept of the time(s) and date(s) of inspection by the fauna specialist and the inspection method employed, where a western ringtail possum (*Pseudocheirus occidentalis*) is identified under condition 9(a); and
- Condition 11(e) is added to require records to be kept where a black cockatoo individual or suitable nesting tree for black cockatoo species is identified under confitions 9(a) or 9(d).

Given the above, the Delegated Officer decided to grant a clearing permit subject to the amended fauna management and record keeping conditions.

2. Site Information

Clearing Description:

The application is for the proposed clearing of up to 100 native trees within the above-mentioned Lots due to the unacceptable risk of falling trees within caravan parks in Augusta (Figure 1).

Vegetation Description

The vegetation within the application area is mapped as (Mattiske and Havel, 1998):

- Wilyabrup, (Wr, 305): Woodland of *Corymbia calophylla-Eucalyptus marginata* subsp. m*arginata* with closed heath of *Myrtaceae-Proteaceae-Fabaceae* spp. on steep rocky slopes in the hyper-humid zone.
- D'Entrecasteaux, (D, 77): Tall shrubland and woodland of *Agonis flexuosa-Acacia saligna* on flats between dunes in the per-humid zone.
- Kilcarnup, (KbE, 150): Mosaic of coastal complex and closed heath of *Olearia axillaris-Pimelea ferruginea-Melaleuca huegelii* on exposed calcareous dunes on seaward slopes in hyper-humid to humid zones.

Vegetation Condition

The condition of the vegetation within the application area ranges from completely degraded to excellent (Keighery, 1994) condition, defined as:

- Completely Degraded: No longer intact, completely/almost completely without native species; to
- Excellent: Vegetation structure intact, damage to trees caused by fire, the presence of non-aggressive weeds and occasional vehicle tracks

Soil Type

Four soil types are mapped within the application area (Schoknecht et al., 2004):

- Wilyabrup, undifferentiated hillslope Phase 216Wv: Slopes with gradients generally 5-15%, but ranging from 2-30%, and gravelly soils (i.e. Forest Grove and Keenan Soils).
- D'Entrecasteaux, calcareous sand flats Phase 215Dx: Inter-dune flats with deep calcareous sands with organic stained top soils.
- Wilyabrup, exposed slopes Phase 216Gr: Low slopes (gradients generally 5-10%) exposed to strong winds off ocean.
- Kilcarnup beach, Phase 216Gr: Beaches and fore-dunes of calcareous sand, along the west coast.

Comments

The vegetation condition was determined from aerial imagery and a fauna survey of the Turner Caravan Park (Harewood, 2018).

The local area considered in the assessment of this application is a 10 kilometre radius measured from the perimeter of the application area. The local area retains approximately 85 per cent native vegetation cover.

Figure 1. Application area in yellow; the northern portion of the application area is Turner Caravan Park and surrounds, and the southern portion of the application area is the Flinders Caravan Park and surrounds

3. Assessment of application against clearing principles and planning instruments and other matters

This amendment is the result of an appeal determination made by the Minister for Environment regarding the conditions of Clearing Permit CPS 8331/1.

The assessment against the clearing principles outlined in Schedule 5 of the *Environmental Protection Act 1986* is unchanged and can be found in the Decision Report prepared for Clearing Permit CPS 8331/1.

Planning instruments and other relevant matters.

The assessment against planning instruments and other matters has not changed and can be found in clearing permit decision report CPS 8331/1.

4. References

Harewood. G. (2018). Fauna Assessment, Turner Caravan Park, Augusta. Prepared for the Shire of Augusta Margaret River. May 2018. (DWER Ref: A1755487).

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.

Schoknecht, N., Tille, P. and Purdie, B. (2004). Soil-landscape mapping in South-Western Australia – Overview of Methodology and outputs' Resource Management Technical Report No. 280. Department of Agriculture.