



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8429/1
Permit Holder:	City of Busselton
Duration of Permit:	27 July 2019 to 27 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 reinstating the shoulder and installing a guard rail for the Eagle Bay - Meelup Road reserve.

2. Land on which clearing is to be done

Eagle Bay - Meelup Road reserve (PIN 11410318), Naturaliste

3. Area of Clearing

The Permit Holder must not clear more than 0.01 hectares of native vegetation within the area cross-hatched yellow on attached Plan 8429/1.

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.

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.

PART III – RECORD KEEPING AND REPORTING

8. 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; and
 - (v) actions taken to minimise the risk of the introduction and spread of *dieback* and *weeds* in accordance with condition 7 of this Permit.

9. Reporting

The Permit Holder must produce the records required under condition 8 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;

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; 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 species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Ray Carvalho
MANAGER
NATIVE VEGETATION REGULATION

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

26 June 2019

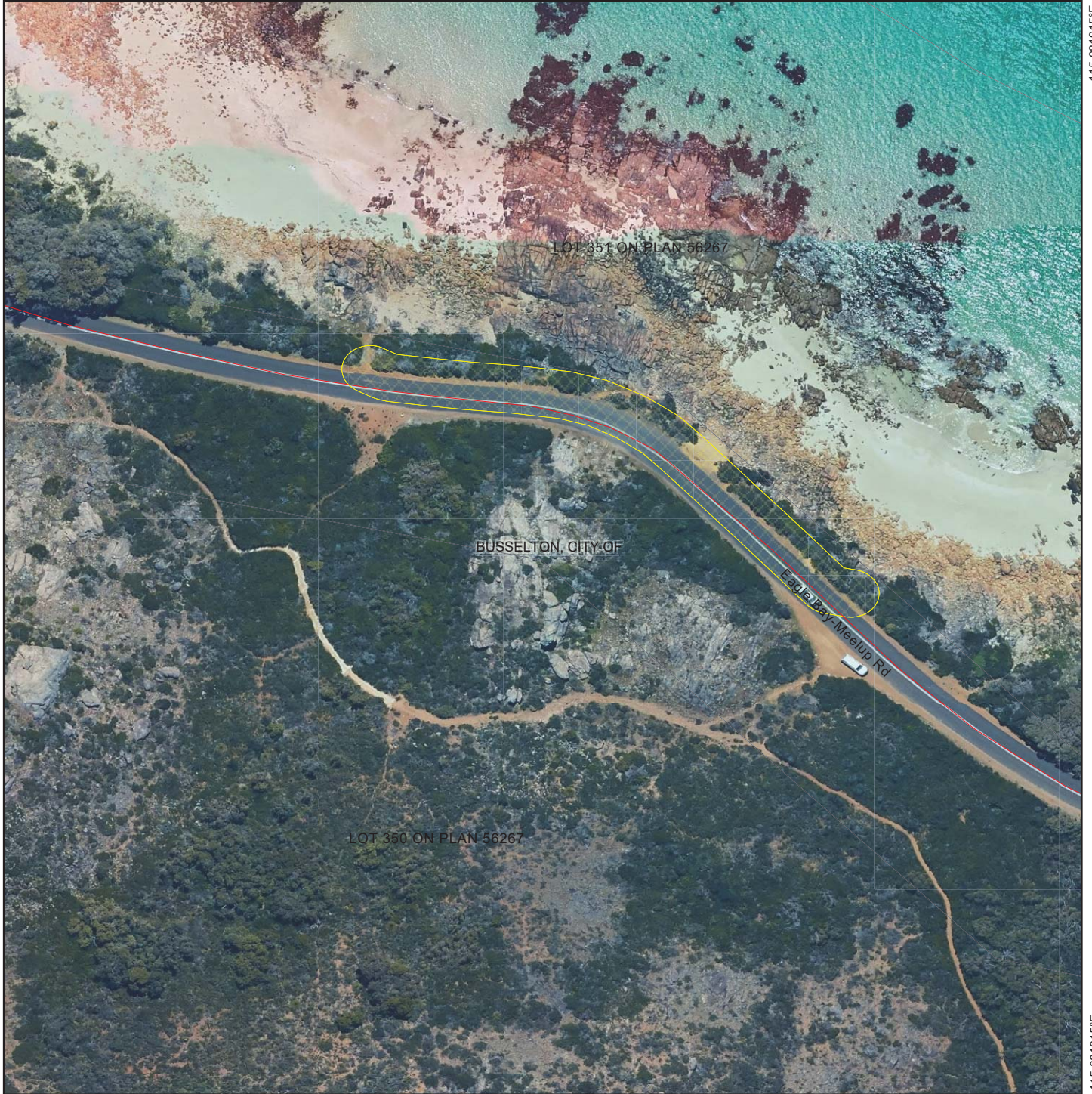
Plan 8429/1

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Legend

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



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(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

Ray Carvalho

Date 2019.06.26.....

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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.: 8429/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: City of Busselton
Application received date: 22 March 2019

1.3. Property details

Property: EAGLE BAY - MEELUP ROAD RESERVE - 11410318, NATURALISTE
Local Government Authority: BUSSELTON, CITY OF
Localities: NATURALISTE

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.01		Mechanical Removal (Pruning)	Road construction or upgrades

1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 26 June 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 (d) and is not likely to be at variance to the remaining clearing principles.

Based on the assessment, the Delegated Officer determined that the application area occurs within the northern boundary of a mapped occurrence of the *Calothamnus graniticus* heaths on south west coastal granites (Meelups Granite) threatened ecological community (TEC). The Delegated Officer noted advice from the Department of Biodiversity, Conservation and Attractions (referred to within the below assessment) and that the proposed clearing of 0.01 hectares, which comprises 0.23 per cent of the total mapped patch and 0.022 per cent of the total mapped occurrence of this TEC, was unlikely to significantly impact on the local occurrence, or on the conservation status of this TEC.

The Delegated Officer notes that the proposed clearing may indirectly impact on the environmental values of adjacent native 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 measures.

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

2. Site Information

Clearing Description

The application is to clear 0.01 hectares of native vegetation within a 0.1 hectare footprint within the Eagle Bay - Meelup Road reserve (PIN 11410318), for the purpose of reinstating the road's shoulder and installing a guard rail. The applicant has advised that the proposed clearing will largely comprise of pruning, with no vegetation proposed to be uprooted unless completely necessary.

Vegetation Description

The application area is within the mapped South West vegetation Wilyabrup (Wr) complex, which is described as woodland of *Corymbia calophylla-Eucalyptus marginata* subsp. *marginata* with closed heath of Myrtaceae-Proteaceae-Papilionaceae spp. on steep rocky slopes in the hyperhumid zone (Mattiske and Havel, 1998).

Vegetation Condition

The condition of the vegetation under application was determined via a site inspection undertaken by officers of the Department of Water and Environmental Regulation (DWER, 2019). The site inspection determined that the application area is in the following condition:

Very Good; Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).

To

Good: Vegetation structure significantly altered with obvious signs of multiple disturbances. Retains basic vegetation or ability to regenerate (Keighery, 1994).



Figure 1. The application area

3. Assessment of application against clearing principles

The application is to clear 0.01 hectares of native vegetation within a 0.1 hectare footprint within Eagle Bay - Meelup Road reserve (PIN 11410318), Naturaliste, for the purpose of reinstating the road's shoulder and installing a guard rail.

A site inspection undertaken by DWER officers noted that the vegetation within the application area is in a very good to good (Keighery, 1994) condition and is growing out of road fill that had been previously brought into the area to allow for historical road construction (DWER, 2019).

The Department of Biodiversity, Conservation and Attractions (DBCA) provided comment on the proposed clearing based on a site visit and advised that the application area includes one conservation significant flora species, being *Calothamnus graniticus* subsp. *graniticus* (Priority 4) (DBCA, 2019). This species is known from 41 records, of which 40 of these records occur within the local area (10 kilometre radius surrounding the application area). The occurrence of this species also extends from both the western and eastern extents of the application area, and also occurs on the opposite side of the road reserve. DBCA provided comment on the impacts of the proposed clearing to this species and advised that “while some plants of the P4 listed *Calothamnus graniticus* subsp. *graniticus* will be impacted (predominantly by pruning), the overall impact is very small” (DBCA, 2019). Noting this information, the number of records of *Calothamnus graniticus* subsp. *graniticus* within the local area, that the proposed clearing is to be undertaken largely via pruning and that the species appears to be abundant in the vegetation immediately surrounding the application area, the proposed clearing is not likely to significantly impact on the local population of this species.

It was initially considered that the application area may also provide suitable habitat for the threatened flora *Caladenia caesarea* ssp. *maritima* and the Priority 4 (P4) flora *Boronia tenuis*, however DBCA advised that “the fill vegetation [application area] will not support the DRF *Caladenia caesarea* ssp. *maritima* or the P4 listed *Boronia tenuis*” (DBCA, 2019). Therefore, it is considered that the proposed clearing is not likely to impact on any other conservation significant flora species.

The application area is mapped within the boundary of a larger mapped patch (comprising 4.38 hectares) of the Meelups Granite threatened ecological community (TEC). DBCA provided comment on the proposed impact to this TEC and advised that “the extent of impact to the Meelup Granites TEC is also very small and will not require an application to modify this TEC under the Biodiversity Conservation Act” (DBCA, 2019). Noting this advice, and that the proposed clearing is for 0.01 hectares of this TEC (equating to 0.23 per cent of the overall patch and 0.022 per cent of the total mapped extent of the TEC), which will be predominantly undertaken via pruning, the proposed clearing is unlikely to significantly impact on the local extent of this TEC, or on its conservation status.

Several specially protected fauna species have been recorded within the local area, including 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) which are listed as vulnerable (forest red-tailed black-cockatoo) and endangered (Baudin's cockatoo and Carnaby's cockatoo) 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). A site inspection of the application area noted that it consisted of shrubs and did not identify any suitable black cockatoo habitat trees (DWER, 2019).

Noting this, the small size of the clearing proposed and the extent of similar habitat immediately surrounding the application area, the application area is not likely to provide significant habitat for black cockatoos or any other conservation significant fauna species.

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 Jarrah Forest (IBRA) bioregion and within the mapped South West Forests vegetation Willyabrup (Wr) complex which retain approximately 53 and 70 per cent of their pre-European vegetation extents respectively. Aerial imagery indicates that the local area retains approximately 62 per cent native vegetation cover. Noting these figures, the application area is not considered to occur within an extensively cleared landscape.

The closest conservation reserves are the Ngari Capes Marine Park and the Leeuwin-Naturaliste National Park which are located approximately 90 and 3700 metres from the application area respectively. Given the small size of the proposed clearing (0.01 hectares), it is not likely to impact upon these environmental values of this reserve. There is however a risk of the proposed clearing resulting in the spread of weeds and dieback into adjoining native vegetation. Weed and dieback mitigation measures will assist in minimising this risk.

As no wetlands or watercourses are mapped within the application area, and given the small size of proposed clearing (0.01 hectares) it is not likely to impact on riparian vegetation, 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 is not likely to be at variance to the clearing principles.

Planning instruments and other relevant matters.

The application area is within the road reserve and is surrounded by areas zoned as 'recreation' under the Town Planning Scheme.

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

The clearing permit application was advertised on the DWER website on 30 April 2019 with a 14 day submission period. No public submissions have been received in relation to this application.

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: Carnaby's cockatoo, Baudin's cockatoo and Forest red-tailed black cockatoo. Commonwealth of Australia
- Department of Biodiversity, Conservation and Attractions (DBCA) (2019) Regional advice, after site visit, from South West Region for Clearing Permit application CPS 8429/1. Western Australia (DWER Ref: A176617).
- Department of Water and Environment Regulation (DWER) (2019) Site Inspection Report for Clearing Permit Application CPS 8429/1. Site inspection undertaken 9 April 2019 (DWER Ref: A1796626).
- Government of Western Australia. (2018). 2017 South West Vegetation Complex Statistics. Current as of October 2017. WA Department of Biodiversity, Conservation and Attractions, Perth, <https://catalogue.data.wa.gov.au/dataset/dbca>
- 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.

GIS Databases:

- Aboriginal Sites of Significance
- DBCA Managed Estate
- Directory of Important Wetlands
- Geomorphic Wetlands
- Groundwater salinity
- Hydrography, hierarchy
- Hydrography, linear
- Land Degradation datasets
- SAC Bio Datasets
- Soils, Statewide
- Topographic contours
- South West Vegetation Complex