



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8486/2
Permit Holder:	Bunbury Harvey Regional Council
Duration of Permit:	21 May 2020 to 21 May 2025

In regard to condition 8, it is noted that the Permit Holder has allocated 16.8 hectares of its banked offset site at Lot 4703 on Plan 207023, Cookernup, to this project. The nominated 16.8 hectare area contains similar environmental values to the application area, being; habitat for Carnaby's cockatoo (*Calyptorhynchus latirostris*), Baudin's cockatoo (*Calyptorhynchus baudinii*), Forest red-tailed black cockatoo (*Calyptorhynchus banksia naso*), and vegetation commensurate with the Banksia Woodlands of the Swan Coastal Plain threatened ecological community.

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 landfill and associated infrastructure.

2. Land on which clearing is to be done

Lot 45 on Plan 17161, Wellesley.

3. Area of Clearing

The Permit Holder must not clear more than 8.41 hectares of native vegetation within the area cross-hatched yellow on attached Plan 8486/2a.

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*:

- (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.

7. Wind erosion management

The Permit Holder must begin construction works within 2 months of clearing activity to mitigate against *land degradation* through wind erosion.

8. Offset - Land acquisition

- (a) The Permit Holder must fund the purchase of the area cross-hatched red on Plan 8486/2b to be ceded to the Department of Biodiversity, Conservation and Attractions for conservation.
- (b) The Permit Holder shall provide documentary evidence to the *CEO* on or before 31 December 2020, that the area cross-hatched red on Plan 8486/2b has been ceded to the Department of Biodiversity, Conservation and Attractions.

9. Fauna management - directional clearing

Clearing shall be conducted in a slow, progressive manner from south to north to allow fauna to move out of the clearing area and into adjacent remnant vegetation.

10. Fauna management - pre-clearing inspections

- (a) In relation to the area cross-hatched yellow on attached Plan 8486/2a, the Permit Holder must engage a *fauna specialist* to inspect that area, including all trees and tree hollows present, within 24 hours 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 10(a) above are identified until either:
 - (i) the western ringtail possum(s) individual has moved on from that area to adjoining *suitable habitat*; or
 - (ii) the western ringtail possum(s) individual has been removed by a *western ringtail possum specialist*.
- (c) Any western ringtail possum (*Pseudocheirus occidentalis*) individuals removed in accordance with condition 10(b)(ii) of this Permit must be relocated by a *western ringtail possum specialist* to *suitable habitat*.
- (d) Where fauna is identified under condition 10(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 relevant qualifications of the *western ringtail possum specialist* undertaking removal and relocation;
 - (vi) the date each individual was removed;
 - (vii) the method of removal;
 - (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.

PART III – RECORD KEEPING AND REPORTING

11. Record keeping

The Permit Holder must maintain the following records 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(s) that the area was cleared;
- (c) the size of the area cleared (in hectares);
- (d) the direction that clearing was undertaken;
- (e) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 5 of this Permit;
- (f) actions taken to minimise the risk of the introduction and spread of *dieback* and *weeds* in accordance with condition 6 of this Permit;
- (g) actions taken to minimise the risk of *land degradation* in accordance with condition 7 of this Permit; and
- (h) details required in accordance with fauna management condition 10 of this Permit.

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 has been undertaken, a written report confirming that no clearing under this Permit has been undertaken, must be provided to the *CEO* on or before 30 June of each year.
- (c) Prior to 16 February 2025, 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:

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 and authorisation issued under the *Biodiversity Conservation Act 2016*;

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

land degradation includes salinity, erosion, soil acidity and waterlogging;

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, typically characterised by abundant foliage, presence of suitable nesting structures such as tree hollows, as well as high canopy cover and continuity. Known habitat includes peppermint (*Agonis flexuosa*) dominated woodlands, jarrah (*Eucalyptus marginata*) and

marri (*Corymbia calophylla*) forests, riparian vegetation with a canopy of Bullich (*Eucalyptus megacarpa*) or flooded gum (*Eucalyptus rudis*), karri (*Eucalyptus diversicolor*) forests, sheoak (*Allocasuarina fraseriana*) dominated woodlands, and other stands of myrtaceous trees growing near swamps, watercourses or floodplains;

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.

western ringtail possum specialist means a person who holds a tertiary qualification specialising in environmental science or equivalent, has a minimum of two years work experience in western ringtail possum (*Pseudocheirus occidentalis*) identification, surveys of western ringtail possums and capture and handling of western ringtail possums, and holds a valid fauna licence issued under the *Biodiversity Conservation Act 2016*.

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Ryan Mincham
MANAGER
NATIVE VEGETATION REGULATION

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

2 June 2021

Plan 8486/2a

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115°45'18.000"E

33°14'6.000"S

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Legend

 CPS areas approved to clear

 Land Tenure

 Local Government Authorities

Road Centrelines

 Local Rd - Sealed

Image




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MGA Zone 50
Geocentric Datum of Australia 1994


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Officer delegated under section 20 of the
Environmental Protection Act 1986



GOVERNMENT OF
WESTERN AUSTRALIA

Plan 8486/2b

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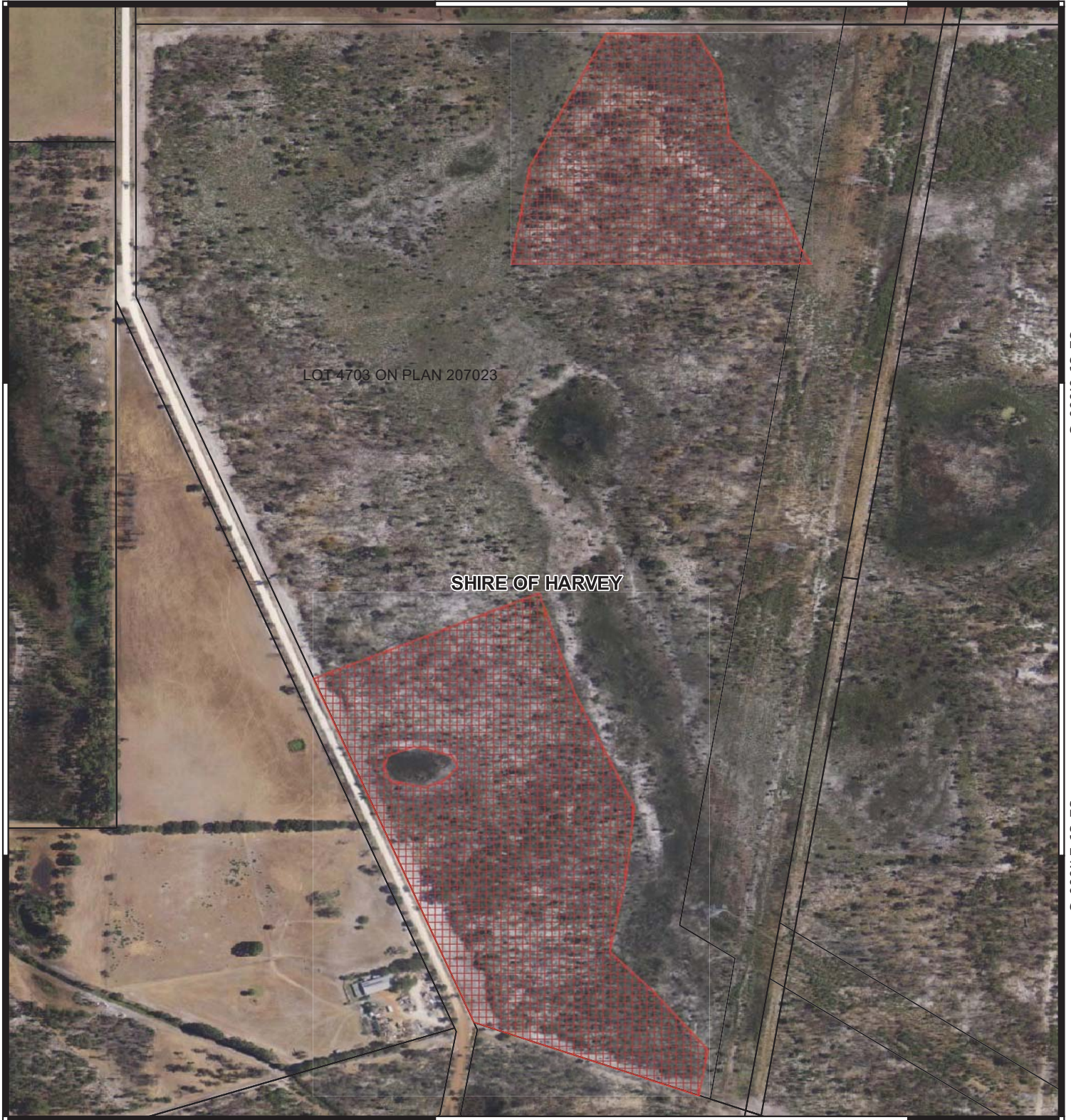
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Legend

 CPS subject to conditions

 Land Tenure

 Local Government Authorities

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MGA Zone 50
Geocentric Datum of Australia 1994

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Officer delegated 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.: 8486/2
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Bunbury Harvey Regional Council
Application received date: 9 November 2020

1.3. Property details

Property: Lot 45 on Plan 17161, Wellesley
Local Government Authority: Shire of Harvey
Localities: Wellesley

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
8.41		Mechanical Removal	Landfill and associated infrastructure

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 2 June 2021

Reasons for Decision: The amendment 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).

Based on supplementary targeted flora surveys conducted over the application area, the Delegated Officer determined that the proposed clearing is unlikely to significantly impact on habitat that is necessary for the continued existence of threatened flora.

The Delegated Officer concluded that the assessment has not changed since the assessment for Clearing Permit CPS 8486/1 and determined that the proposed clearing is at variance with Principles (a), (b), and (e), may be at variance with Principle (h), and is not likely to be at variance with the remaining clearing Principles.

The Delegated Officer decided to grant an amended clearing permit subject to weed and dieback management, erosion management, fauna management and offset conditions. The Delegated Officer considered that the proposed amendment is not likely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description

Clearing permit CPS 8486/1 allows for the clearing of up to 8.41 hectares of native vegetation within Lot 45 on Plan 17161, Wellesley, for the purpose of expanding the Stanley Road Waste Management Facility.

The application is to amend the conditions of clearing permit CPS 8486/1 by removing condition 4, which restricted clearing within an area determined as potential suitable habitat for the threatened flora species, *Drakaea elastica* (Figure 1). The amount of clearing (in hectares) and the clearing boundary remains unchanged from what has been approved under clearing permit CPS 8486/1.

Vegetation Description

The application area is mapped as the Bassendean Complex-Central and South vegetation complex. This vegetation ranges from woodland of *Eucalyptus marginata* (Jarrah) - *Allocasuarina fraseriana* (Sheoak) - *Banksia* species to low woodland of *Melaleuca* species, and sedgelands on the moister sites. This area includes the transition of *Eucalyptus marginata* (Jarrah) to *Eucalyptus tottiana* (Pricklybark) in the vicinity of Perth (Hedde et al., 1980).

A site inspection of the application area undertaken by officers from the Department of Water and Environmental Regulation (DWER) identified three vegetation communities within the application area (DWER, 2019):

- Community 1: *Banksia attenuata* and *Eucalyptus marginata* over a mid-storey dominated by *Kunzea glabrescens* over sparse grassy weeds and native ground cover in a degraded condition. This community was observed within the central portion of the application area and had been greatly altered by historical park land clearing.

- Community 2: *Banksia attenuata*, *Banksia grandis* and *Eucalyptus marginata* over a diverse native understorey in a very good condition.
- Community 3: *Banksia* woodland with *Eucalyptus marginata* and *Agonis flexuosa* over native understorey in a very good condition. This community was observed in a small section at the southern end of the western portion of the application area.

The flora and vegetation survey conducted by Strategen-JBS&G during 23 September 2019 recorded one vegetation type over the application area, described as *Eucalyptus marginata* and *Banksia attenuata* low to mid woodland over *Kunzea glabrescens* mid shrubland to mid open shrubland over low open hermland of *Leucopogon propinquus*, *Hibbertia hypericoides* and *Dasypogon bromeliifolius* (Strategen-JBS&G, 2019).

Vegetation Condition

The flora and vegetation survey determined that the application area ranges from degraded to excellent (Keighery, 1994) condition (Strategen-JBS&G, 2019), described as:

- Excellent: Vegetation structure intact; disturbance affecting individual species; weeds are non-aggressive species (Keighery, 1994).
- Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).
- Good: Vegetation structure significantly altered by very obvious signs of multiple disturbance; retains basic structure or ability to regenerate (Keighery, 1994).
- Degraded: Basic vegetation structure severely impacted by disturbance; scope for regeneration but not to a state approaching Good condition without intensive management (Keighery, 1994).

Soil type

Four soil types have been mapped in the application area (Schoknecht et al., 2004):

- Spearwood S1c Phase: Dune ridges with deep bleached grey sands with yellow-brown subsoils, and slopes up to 15 per cent;
- Bassendean B1 Phase: Extremely low to very low relief dunes, undulating sandplain and discrete sand rises with deep bleached grey sands sometimes with a pale yellow B horizon or a weak iron-organic hardpan at depths generally greater than 2 metres; *Banksia* dominant;
- Bassendean B1a Phase: Extremely low to very low relief dunes, undulating sandplain and discrete sand rises with deep bleached grey sands with an intensely coloured yellow B horizon occurring within 1 metres of the surface; marri and jarrah dominant; and
- Bassendean B6 Phase: Sandplain and broad extremely low rises with imperfectly drained deep or very deep grey siliceous sands.

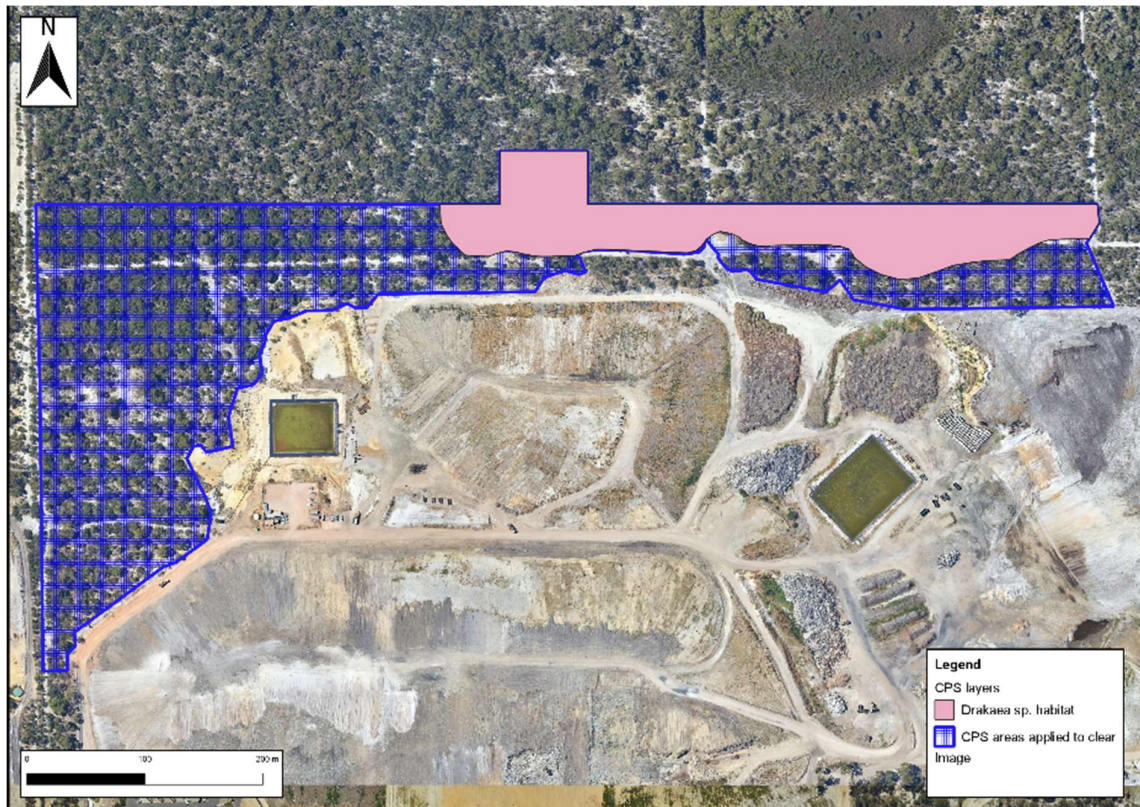


Figure 1. Area shaded pink, previously restricted under clearing permit CPS 8486/1. The amendment application proposes to remove the above restriction.

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

The assessment undertaken of the application area under CPS 8486/1 identified that the application area contained approximately 2.6 hectares of suitable habitat for threatened flora species, being *Drakaea elastica*, *Drakaea micrantha* and *Caladenia huegelii*.

Drakaea elastica and *Drakaea micrantha* are known from comparable habitat within two kilometres of the application area (DBCA, 2019a). *Drakaea elastica* grows on bare patches of sand within otherwise dense vegetation in low-lying areas alongside winterwet swamps, typically in *Banksia* woodland or spearwood thicket vegetation (DEC, 2009). The site inspection showed that wetland vegetation may be within or in close proximity to the application area (DWER 2019a). *Drakaea micrantha* is usually found in cleared fire breaks or open sandy patches that have been disturbed, and where competition from other plants has been removed and is often found with other *Drakaea* species (DEWHA, 2008).

Caladenia huegelii occurs in areas of mixed woodland of jarrah (*Eucalyptus marginata*), candlestick banksia (*Banksia attenuata*), holly banksia (*Banksia ilicifolia*) and firewood banksia (*Banksia menziesii*) with scattered sheoak (*Allocasuarina fraseriana*) and marri (*Corymbia calophylla*) over dense shrubs of blueboy (*Stirlingia latifolia*), Swan River myrtle (*Hypocalymma robustum*), yellow buttercups (*Hibbertia hypericoides*), buttercups (*Hibbertia subvaginata*), balga (*Xanthorrhoea preissii*), coastal jugflower (*Adenanthos cuneatus*) and *Conostylis* species, from north of Perth to the Busselton area. It usually occurs within 20 kilometres of the coast, associated with the Bassendean sand-dune system (DEWHA, 2009).

A flora survey over the application area during 23 September 2019 did not record any threatened flora species within the application area (Strategen JBS&G, 2019). The timing of this survey was suitable for *Caladenia huegelii*, which flowers from September to October. Therefore, it is likely that the application area is not necessary for the continued existence of *Caladenia huegelii*. However, the two *Drakaea* species flower during July and August (Western Australian Herbarium, 1998-), as such, were likely to be undetectable at the time of survey. Given this, the presence of *Drakaea elastica* and *Drakaea micrantha* could not be excluded during the assessment of clearing permit CPS 8486/1. Further targeted surveys were requested to confirm the presence of the two *Drakaea* sp., until such time, the applicant agreed to not undertake any clearing of the area identified as suitable habitat. This portion of the application area was not authorised to be cleared under clearing permit CPS 8486/1 (Figure 1).

A supplementary targeted survey was undertaken on 18 August 2020, over the area identified as containing suitable habitat for *Drakaea* sp. No *Drakaea* sp. or other conservation significant flora species were recorded during this survey (Strategen JBS&G, 2020). The survey was conducted at an appropriate time to confirm the absence of any conservation significant species within the application area. Noting this, although the application area contains habitat that may be suitable for threatened flora species, the proposed clearing is not likely to be at variance with principle (c), that is, the proposed clearing is not likely to significantly impact native vegetation that is necessary for the continued existence of threatened flora.

Based on the above, the assessment against the clearing principles has not changed from the decision report for clearing permit CPS 8486/1. As the amount of clearing remains unchanged from clearing permit CPS 8486/1, there are no changes to the offset requirements. The Delegated Officer considered that the extent to which the impacts of the proposed clearing present a risk to biological, conservation, or land and water resource values, also remains unchanged from the original assessment and can be found in the decision report for clearing permit CPS 8486/1.

Planning instruments and other relevant matters.

The amendment application was advertised on the Department's website on 11 May 2021, inviting submission from the public within a 7 day period. No submissions were received in relation to this application.

4. References

- Department of Environment and Conservation (2009). Glossy-leafed Hammer Orchid (*Drakaea elastica*) Recovery Plan. Department of Environment and Conservation, Western Australia.
- Department of the Environment, Water, Heritage and the Arts (DEWHA) (2008). Approved Conservation Advice for *Drakaea micrantha* (Dwarf Hammer-orchid). Department of the Environment, Water, Heritage and the Arts, Canberra.
- Department of the Environment, Water, Heritage and the Arts (DEWHA) (2009). Grand Spider Orchid (*Caladenia huegelii*) Recovery Plan. Commonwealth Department of the Environment, Water, Heritage and the Arts, Canberra.
- Department of Water and Environmental Regulation (DWER) (2019). Report for site inspection undertaken 11 July 2019 (DWER Ref: A1822416).
- 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, 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.
- Strategen-JBS&G (2019). Bunbury Harvey Regional Council Flora, Vegetation and Fauna Assessment Stanley Road Waste Management Facility Lot 45 Stanley Rd, Australind. Report for Bunbury Harvey Regional Council prepared by JBS&G Australia Pty Ltd T/A Strategen-JBS&G, October 2019 (DWER Ref: A1836426).
- Strategen-JBS&G (2021). Supplementary targeted flora survey for *Drakaea elastica* – Stanley Road Waste Facility, received 9 November 2021 (DWER Ref A1951601).
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Parks and Wildlife. <http://florabase.dpaw.wa.gov.au>.

GIS Databases:

- Aboriginal Heritage Places
- Black Cockatoo Breeding Sites – Buffered
- Black Cockatoo Roost Sites
- Black Cockatoo Records
- DBCA Legislated Lands and Waters
- Environmentally Sensitive Areas
- Groundwater Salinity Statewide
- Hydrography, linear
- IBRA Vegetation Statistics
- Geomorphic Wetlands, Swan Coastal Plain
- SCP Vegetation Complex Statistics
- Soil and Landscape Mapping – Best Available
- South West Regional Ecological Linkages
- Threatened Flora (TPFL)
- Threatened Flora (WAHerb)
- Threatened Fauna
- Threatened Ecological Communities and Priority Ecological Communities
- Threatened Ecological Communities and Priority Ecological Communities (Buffers)