



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8578/1
Permit Holder:	Shire of Manjimup
Duration of Permit:	14 February 2021 – 14 February 2026

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 road construction and upgrades.

2. Land on which clearing is to be done

Wheatley Coast Road reserve (PIN 11552917), Upper Warren
Wheatley Coast Road reserve (PIN 11552919), Upper Warren
Wheatley Coast Road reserve (PIN 11552920), Upper Warren
Wheatley Coast Road reserve (PIN 11552918), Upper Warren
Wheatley Coast Road reserve (PIN 11552933), Quinninup
Wheatley Coast Road reserve (PIN 11537859), Quinninup
Wheatley Coast Road reserve (PIN 11537858), Quinninup

3. Area of Clearing

The Permit Holder must not clear more than 1.824 hectares of native vegetation within the area cross-hatched yellow on attached Plans 8578/1a and 8578/1b.

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

The permit holder may clear native vegetation for the activities described in condition 1 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. Vegetation management

The Permit Holder shall avoid clearing *riparian vegetation* within the area cross-hatched yellow on attached Plans 8578/1a and 8578/1b.

8. Fauna management – direction of clearing

The Permit Holder shall conduct clearing in a slow, 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. 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 *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

10. 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;
- (b) the date(s) 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 6 of this Permit;
- (e) actions taken to avoid clearing *riparian vegetation* in accordance with condition 7 of this Permit;
- (f) actions taken in accordance with condition 8 of this Permit; and
- (g) actions taken to minimise the risk of the introduction and spread of *dieback* and *weeds* in accordance with condition 9 of this Permit.

11. 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 10 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 14 November 2025, the Permit Holder must provide to the *CEO* a written report of records required under condition 10 of this Permit where these records have not already been provided under condition 11(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;


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;

riparian vegetation has the meaning given to it in Regulation 3 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004;

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.


Ryan Mincham
2021.01.22
11:16:44
+08'00'

Ryan Mincham
MANAGER
NATIVE VEGETATION REGULATION




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

22 January 2021

Plan 8578/1a



Legend

-  CPS areas approved to clear
-  Land Tenure
-  Local Government Authorities

Image



0 500 1000 1500 m



Ryan Mincham
2021.01.22
11:17:17
+08'00'

Officer delegated under section 20 of the
Environmental Protection Act 1986

1:15396

MGA Zone 50
Geocentric Datum of Australia 1994



GOVERNMENT OF
WESTERN AUSTRALIA

Plan 8578/1b

116°14'51.000"E

116°15'0.000"E

116°15'9.000"E

116°15'18.000"E

34°25'57.000"S

34°25'57.000"S

34°26'6.000"S

34°26'6.000"S

34°26'15.000"S

34°26'15.000"S


116°14'51.000"E

116°15'0.000"E

116°15'9.000"E

116°15'18.000"E

Legend

 CPS areas approved to clear

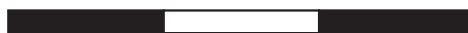
 Land Tenure

 Local Government Authorities

Image



0 100 200 300 m



Ryan
Mincham
2021.01.22
11:17:54
+08'00'

R. Mincham

Officer delegated under section 20 of the
Environmental Protection Act 1986



GOVERNMENT OF
WESTERN AUSTRALIA

1:2993

MGA Zone 50
Geocentric Datum of Australia 1994



SHIRE OF MANJIMUP



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8578/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Shire of Manjimup
Application received date: 27 June 2019

1.3. Property details

Property: Wheatley Coast Road reserve (PIN 11552917), Upper Warren
Wheatley Coast Road reserve (PIN 11552919), Upper Warren
Wheatley Coast Road reserve (PIN 11552920), Upper Warren
Wheatley Coast Road reserve (PIN 11552918), Upper Warren
Wheatley Coast Road reserve (PIN 11552933), Quinninup
Wheatley Coast Road reserve (PIN 11537859), Quinninup
Wheatley Coast Road reserve (PIN 11537858), Quinninup
Local Government Authority: Shire of Manjimup
Localities: Upper Warren and Quinninup

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
1.824	297	Mechanical Removal	Road construction or upgrades

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 22 January 2021
Reasons for Decision:

The clearing permit application was received on 27 June 2019, and has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the *Environmental Protection Act 1986* (EP Act). It has been concluded that the proposed clearing is at variance with principle (f) and is not likely to be at variance with any of the remaining clearing principles.

Through assessment it has been determined Priority 3 flora species *Leptinella drummondii* may occur within the riparian vegetation found within the application area. The Delegated Officer considered that a condition requiring the applicant to avoid clearing riparian vegetation will mitigate the potential impacts to this flora species from the proposed clearing.

The assessment determined that native fauna may be present at the time of clearing due to the habitat it provides. The Delegated Officer considered that a condition requiring the applicant to undertake slow, directional clearing will mitigate the potential impacts to native fauna from the proposed clearing.

The proposed clearing may increase the spread of weeds and dieback being introduced in the adjacent remnant vegetation. Weed and dieback management practices will assist in mitigating this risk.

In determining to grant a clearing permit subject to vegetation, fauna, weed and dieback management conditions, the Delegated Officer found that the proposed clearing is not likely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description

The application is to clear 1.824 hectares of native vegetation (297 native trees) within Wheatley Coast Road reserve (PINs 11552917, 11552919, 11552920, 11552918, 11552933, 11537859 and 11537858) Upper Warren and Quinninup, for the purpose of road construction and upgrades.

Vegetation Description

The application area is within the following mapped South West Forests vegetation complexes:

- Bevan 1 (BE1) complex described as all open forest of *Corymbia calophylla*-*Eucalyptus marginata* subsp. *marginata* on uplands in perhumid and humid zones.

- Pemberton (PM2) complex described as open forest of *Corymbia calophylla*-*Eucalyptus marginata* subsp. *marginata* on slopes and open forest of *Eucalyptus patens*-*Corymbia calophylla* on lower slopes in the humid zone.
- Wilga (WL) complex described as open forest of *Corymbia calophylla* with some *Eucalyptus marginata* subsp. *marginata* on slopes and tall shrubland of *Melaleuca* spp. on valley floors in the humid zone.
- Crowea (Cry) complex described as all open forest of *Corymbia calophylla* with mixture of *Eucalyptus marginata* subsp. *marginata* and *Eucalyptus diversicolor* on uplands in hyperhumid and perhumid zones (Mattiske and Havel, 1998).

Vegetation Condition

Very Good; Vegetation structure altered; obvious signs of disturbance

To

Good: Vegetation structure significantly altered with obvious signs of multiple (Keighery, 1994).

Comment

The condition of the vegetation within the application area was determined via a site inspection undertaken by officers of the Department of Water and Environmental Regulation (DWER, 2019).

The local area considered in the assessment of this application is a 10 kilometre radius measured from the perimeter of the application area.



Figure 1: Application area for CPS 8578/1 (outlined yellow)





Figure 2: Representative photographs of the application area (DWER, 2019)

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

The application is to clear 1.824 hectares of native vegetation (297 native trees) within Wheatley Coast Road reserve for the purpose of road construction and upgrades, specifically to provide the local residents with a safer road and to allow for the cartage of gravel and limestone (Shire of Manjimup, 2019a).

A Department of Water and Environmental Regulation (DWER) site inspection identified that the vegetation within the application area has minimal weed invasion despite its close proximity to a road corridor. The application area comprises of an overstorey of jarrah (*Eucalyptus marginata*) and karri (*Eucalyptus diversicolor*). Karri is present in the southern portion of the application area. The vegetation within the application area also comprised of *Hardenbergia comptoniana*, *Acacia alata*, *Acacia* sp., *Leucopogon verticillatus*, *Hibbertia* sp., *Kennedia coccinea*, *Anigozanthos bicolor* Endl., *Hakea amplexicaulis*, *Macrozamia riedlei*, *Pteridium esculentum* (G.Forst.) and *Cockayne* subsp. *esculentum*, with the occasional *Banksia grandis* (DWER, 2019).

According to available databases, four priority flora species and three threatened flora species have been mapped within the local area. Of these, the following priority flora species have been mapped within similar soil and/or vegetation types as the application area:

- *Leptinella drummondii* (Priority 3). This species has been recorded approximately 4.2 kilometres east of the application area. It is described as a small herb growing to 0.15 metres high that flowers yellow between January to February within clay loam and mud (Western Australian Herbarium, 1998-). This species is known to occur along rivers (Western Australian Herbarium, 1998-, CALM, 2006).
- *Tetradlea exasperata* (Priority 3). This species has been recorded 5.9 kilometres from the application area. It is described as a few branched shrub growing to 0.1 to 0.35 metres high within white-grey sand, sandy loam with gravel or orange-brown gravelly loam (Western Australian Herbarium, 1998-).

Noting that a stream intersects the application area, it is possible that the application may comprise of suitable habitat for *Leptinella drummondii*. The applicant has advised that no clearing of riparian vegetation will occur (Shire of Manjimup, 2019b). The imposition of a condition on the permit to avoid the clearing of riparian vegetation will assist in avoiding impacts to this species.

In the Jarrah Forest region, *Tetradlea exasperata* occurs in *Eucalyptus marginata* and *E. wandoo* woodland with *Banksia sessilis*, *B. preissii*, *Billardiera* sp. and *Nemcia* sp. Based on the site inspection (DWER, 2019), this vegetation type is not found within the application area, therefore it is not likely to occur and unlikely to be significantly impacted by the proposed clearing.

Baudin's cockatoo (*Calyptorhynchus baudinii*), Carnaby's cockatoo (*Calyptorhynchus latirostris*) and forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*) are protected under the *Biodiversity Conservation Act 2016* and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). These species have been recorded within the local area. The site inspection undertaken by DWER noted that the application area includes large eucalyptus trees which may be large enough (diameter at breast height of greater than 500 millimetres) to support hollows suitable for breeding use by black cockatoos (DWER, 2019). A black cockatoo habitat tree assessment within the application area was undertaken in April 2020 (Harewood, 2020). The application area was found to contain 46 potential black cockatoo habitat trees (trees with diameter at breast height of more than 500 millimetres), however, none were identified as containing hollows suitable for, or in use by black cockatoos (Harewood, 2020). Considering the findings of the black cockatoo habitat tree assessment, the application area is unlikely to support breeding habitat for black cockatoos. Due to the large extent of state forests within the local area, it is unlikely that the proposed clearing will have a significant impact to foraging habitat for black cockatoos.

The western ringtail possum (WRP) is listed as critically endangered under the EPBC Act and has also been recorded within the local area. The closest record is approximately two kilometres from the application area. Noting that the vegetation type within the application area, the application area may comprise of suitable habitat. A WRP survey within the application area was undertaken in April and May 2020 which included both a daytime and nocturnal survey (Harewood, 2020). There was no evidence of dreys, scats or individuals within the application area (Harewood, 2020), therefore it is unlikely that the proposed clearing will have a significant impact to this species.

Noting the findings of the black cockatoo habitat assessment and western ringtail possum survey, the native vegetation proposed to be cleared is not considered to comprise the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna. Whilst the application area is not considered to contain significant habitat for fauna, it is recognised that fauna may be present at the time of clearing due to the good to very good (Keighery, 1994) condition of the native vegetation. Slow, directional clearing will assist in fauna escaping ahead of the clearing activity.

There are no threatened ecological communities or priority ecological communities are mapped within the local area.

The application area is adjacent to the Tone State Forest. It is likely that the proposed clearing may result in the spread of weeds and dieback into adjoining native vegetation in the State Forest. A condition requiring the applicant to implement weed and dieback management measures to reduce the risk of spread will be imposed on the clearing permit to reduce the risk of degradation to the State Forest.

A South West Regional Ecological Linkage (SWREL) axis line is mapped approximately a kilometre south of the application area. The SWREL report (Molloy et al., 2009) defines an ecological linkage as “a series of (both contiguous and non-contiguous) patches which, by virtue of their proximity to each other, act as stepping stones of habitat to facilitate the maintenance of ecological processes and the movement of organisms within, and across, a landscape”. Axis lines in the SWREL Report are used to identify patches of remnant vegetation with high connectivity or linkage value; the emphasis for biodiversity planning and conservation becomes the protection and management of the patches identified using the linkage axis lines, rather than within the area defined by the axis line itself.

Whilst the application area may form part of an ecological linkage, the proposed clearing will not sever the linkage or remove linkage values entirely. It is acknowledged that the area may degrade over time due to the nature of the location. Weed and dieback management measures will assist in reducing the risk of degradation to surrounding vegetation providing ecological linkage.

The extent of the mapped vegetation type and the native vegetation in the local area is consistent with the national objectives and targets for biodiversity conservation in Australia (EPA, 2008; Government of Western Australia, 2019; Commonwealth of Australia, 2001), therefore the application area is not considered to occur in an area that has been extensively cleared.

DWER's (2019) site inspection noted that a watercourse intersects the application area, via a culvert. The existing culvert will ensure that surface water flow is not disturbed. Given the presence of vegetation of vegetation associated with an environment associated with a watercourse, the proposed clearing is at variance with principle (f).

Given the linear nature of the proposed clearing and taking into account the existing culvert and other roadside infrastructure (drains and swales), the proposed clearing is not likely to contribute to or cause land degradation, deteriorate the quality of groundwater or surface water and is not likely to cause or exacerbate flooding.

The assessment has found that the proposed clearing is at variance with clearing principle (f) and is not likely to be at variance with the remaining clearing principles.

Planning instruments and other relevant matters.

The application is for the reconstruction and widening of the Wheatley Coast Road. The road improvements are to provide the local residents with a safer road and to allow for the cartage of gravel and limestone (Shire of Manjimup, 2019a).

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

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

4. References

- Department of Conservation and Land Management (CALM) (2006) Declared Rare and Poorly Known Flora in the Warren Region - Western Australian Wildlife Management Program No. 40
- Department of Water and Environment Regulation (DWER) (2019) Site Inspection Report for Clearing Permit Application CPS 8578/1. Site inspection undertaken 19 September 2019 (DWER Ref: A1830871).
- Government of Western Australia (2019). 2018 South West Vegetation Complex Statistics. Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions, Perth, <https://catalogue.data.wa.gov.au/dataset/dbca>
- Harewood, G. (2020) Western Ringtail Possum Survey and Habitat Tree Assessment of Proposed Clearing Area CPS 8578/1 Wheatley Coast Road (SLK 0.00 – 3.16 and SLK 11.88 – 12.35). Unpublished report prepared for Shire of Manjimup. Version 1, July 2020.
- 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.
- Molloy, S., Wood, J., Hall, S., Wallrodt, S. and Whisson, G. (2009). South West Regional Ecological Linkages Technical Report. Western Australian Local Government Association and Department of Environment and Conservation.
- Shire of Manjimup (2019a) Clearing permit application and supporting documentation for CPS 8578/1 (DWER Ref: DWERDT172636).
- Shire of Manjimup (2019b) Applicant providing further information for CPS 8578/1 (DWER Ref. A1881430).
- Western Australian Herbarium (1998–). FloraBase—the Western Australian Flora. Department of Biodiversity, Conservation and Attractions. <https://florabase.dpaw.wa.gov.au/>. Accessed March 2019.
- CPS 8578/1, 22 January 2021