GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8579/1
Permit Holder:	Shire of Manjimup
Duration of Permit:	22 October 2020 – 22 October 2025

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 constructing a shared path.

2. **Land on which clearing is to be done**
   Main Road Reserve (PINs 11449840; 11449846), Northcliffe.

3. **Area of Clearing**
   The Permit Holder must not clear more than 0.45772 hectares of native vegetation within the area cross-hatched red on attached Plan 8579/1.

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**
   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:
   (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. Fauna management – western ringtail possum

(a) In relation to the area cross-hatched red on attached Plan 8579/1, 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 7(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 7(b)(ii) of this Permit must be relocated by a *western ringtail possum 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 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.

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 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

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 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 29 June 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;

fauna specialist means a person who holds a tertiary qualification specializing in environmental science or equivalent, has a minimum of two years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed and 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;

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

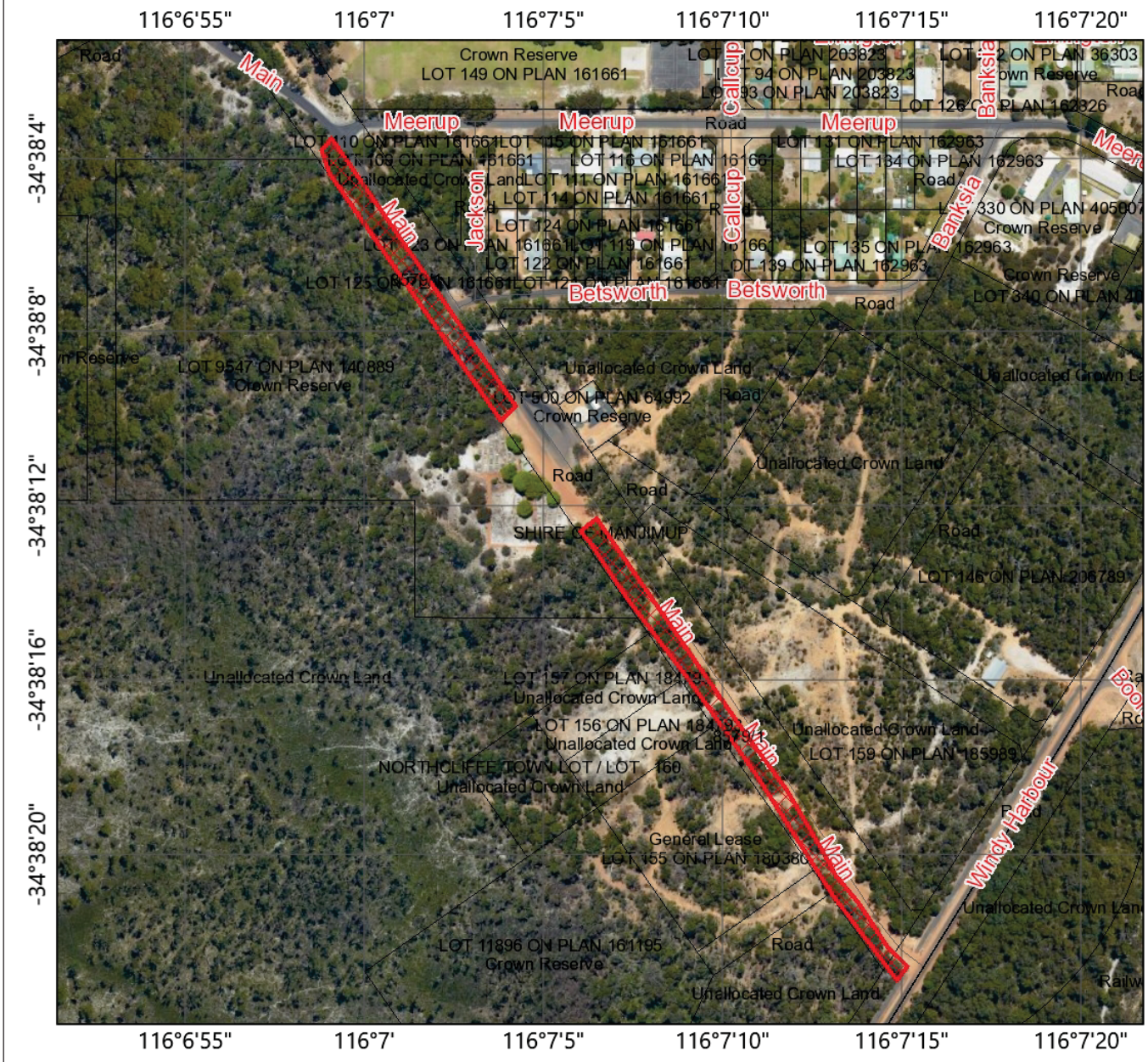
western ringtail possum specialist means a person who holds a tertiary qualification specialising in environmental science or equivalent, has a minimum of two years work experience in western ringtail possum *(Pseudocheirus occidentalis*) identification, surveys of western ringtail possums and capture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

Mathew Gannaway
MANAGER
NATIVE VEGETATION REGULATION

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

29 September 2020

Plan 8579/1



Legend

- CPS subject to conditions
- Local Government Authorities
- Roads - Major Roads
- Roads - Minor Roads
- Cadastre

0.1 0.07 0.1 Kilometers

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

Locality Map

Government of Western Australia
Department of Water and Environmental Regulation

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.: 8579/1
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: Main Road reserve (PINs 11449840 and 11449846)
Local Government Authority: Shire of Manjimup
Localities: Northcliffe

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.45772	125	Mechanical Removal	Road construction and upgrades

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 29 September 2020

Reasons for Decision:

The clearing permit application was received on 29 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 that the application area may contain suitable habitat for the western ringtail possum (*Pseudocheirus occidentalis*). Whilst not considered significant habitat for western ringtail possum, the Delegated Officer considered that impacts to individuals may occur at the time of clearing. A pre-clearing inspection ahead of the clearing activity will mitigate the potential impacts to western ringtail possum individuals that may be present. Slow, directional clearing will assist fauna in escaping ahead of the clearing activity.

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

In determining to grant a clearing permit subject to 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 0.45772 hectares of native vegetation (comprising of 125 native trees) within Main Road, Northcliffe, for the purpose of constructing a shared path (Figure 1).

Vegetation Description

The application area is within the mapped South West vegetation comples Collis 1 (COy1) which is described as a tall open forest to woodland of *Eucalyptus marginata* subsp. *marginata*, *Corymbia calophylla, Banksia grandis*, *Allocasuarina fraseriana* on low hills and with *Allocasuarina decussata* on slopes in perhumid and humid zones (Mattiske and Havel, 1998).

Vegetation Condition

The vegetation within the application area is determined to be in a good to very good condition, described as:

- Good; Vegetation structure significantly altered by very obvious signs of multiple disturbances. Retains basic vegetation structure or ability to regenerate it (Keighery, 1994); to
- Very Good; Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).

Comment

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

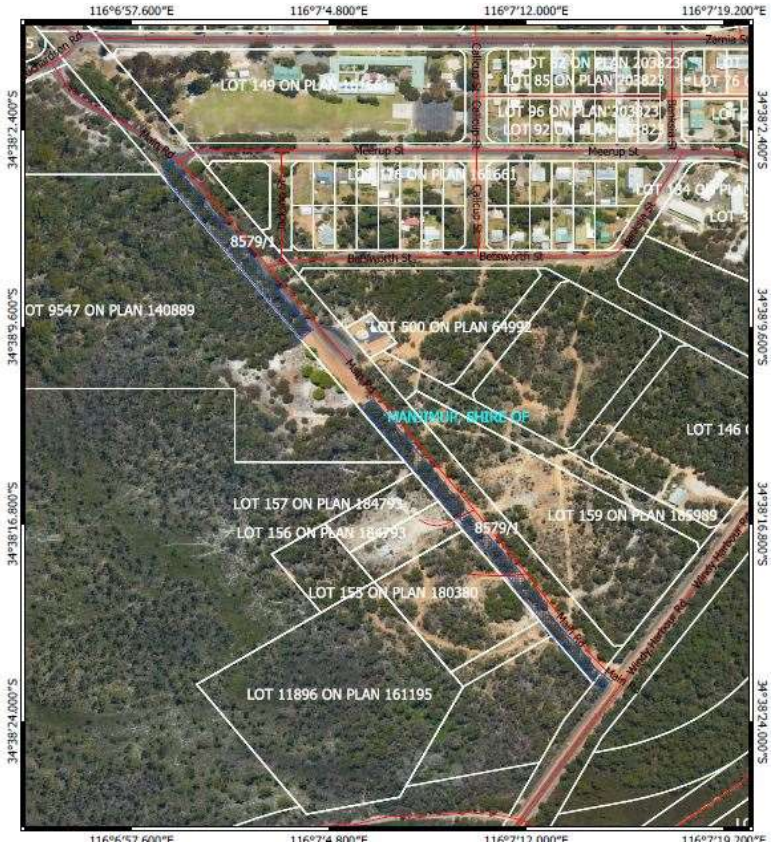

Figure 1: Application area for CPS 8579/1 (cross-hatched in blue)

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

3. Assessment of application against clearing principles

The application is to clear 0.45772 hectares of native vegetation (comprising 125 native trees) within Main Road Reserve, Northcliffe, for the purpose of constructing a shared path. The DWER site inspection identified that the application area comprises marri (*Corymbia calophylla*), mature peppermint trees (*Agonis flexuosa*) with an understory of *Acacia* sp., in good to very good (Keighery, 1994) condition (Figure 2; DWER, 2019). It was noted that there was minimal weed invasion despite being adjacent to a road corridor (DWER, 2019).

According to available databases, seven priority flora species and no threatened flora species have been mapped within the local area (10 kilometre radius). Of these, one priority flora 3 species, *Stylidium leeuwinense*, has been mapped within similar soil and vegetation types as the application area. This species is described as an erect perennial herb, growing to 0.15-0.6 m high, that flowers pink between February to May within grey to black peaty soil in seasonally wet habitats and depressions. Although there is a series of seasonally wet sumplands west of the application area, the closest being 200 metres away, the application area does not have the habitat to support this priority species. Therefore it is unlikely that the proposed clearing will have a significant impact to conservation significant flora.

Baudin's cockatoo (*Calyptorhynchus baudinii*) and Carnaby's cockatoo (*Calyptorhynchus latirostris)* are listed as Endangered and forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*) is listed as Vulnerable under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and have been recorded within the local area. Black cockatoos 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). Marri trees were observed within the application area (DWER, 2019). A black cockatoo habitat tree assessment within the application area was undertaken in June 2020 (Harewood, 2020). The application area was found to contain 10 potential black cockatoo habitat trees (trees with diameter at breast height of more than 50 centimetres), however none were identified as containing hollows suitable for, or in use by black cockatoos (Harewood, 2020).

The western ringtail possum (*Pseudocheirus occidentalis*) (listed as critically endangered under the EPBC Act) has been recorded within the local area. The application area includes suitable habitat for this species in the form of peppermint trees (*Agonis flexuosa)*. The DWER site inspection noted that there were signs of arboreal fauna utilizing these trees, however, western ringtail individuals were not identified (DWER, 2019). While the application area may comprise suitable habitat for western ringtail possums, it is unlikely that the application area would serve as a significant habitat for this species. Large extents of remnant vegetation within the local area are more likely to be a significant habitat for western ringtail possums. To mitigate impacts to western ringtail possum potentially occurring within the application area, a pre-clearance inspection for western ringtail possum is required to be undertaken 24 hours prior to, and for the duration of clearing.

Noting the above, 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 mapped within the local area.

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.

The application area is considered to form part of a South West Regional Ecological Linkage (SWREL). 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.

Remnant vegetation within the SWREL boundary can be assigned a 'proximity analysis' group. A patch of vegetation with an edge touching or less than 1000 metres from a linkage (axis line) is assigned to proximity analysis Group 3(a). A SWREL axis line is mapped approximately 800 metres and 900 metres east and south of the application area, respectively. While the application area may serve as an ecological linkage, the proposed clearing will not sever the linkage or remove linkage values entirely.

The closest conservation reserves are the Gardner State Forest and the Boorara-Garnder National Park which are located approximately 1500 and 5000 metres from the application area, respectively. Given that the proposed clearing will be restricted to the application area, it is not likely to impact upon the environmental values of the conservation areas. 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.

The DWER site inspection noted an unmapped watercourse intersecting the application area (DWER, 2019). Therefore, the proposed clearing includes vegetation growing in, or in association with, a watercourse. Given the linear nature of the proposed clearing and taking into account existing roadside infrastructure (drains, swales and culverts), 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 clearing under application is at variance with principle (f) and is not likely to be at variance with the remaining clearing principles.

Planning instruments and other relevant matters.

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 submissions were 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. Department of Sustainability, Environment, Water, Populations and Communities, Canberra.

Department of Water and Environmental Regulation (2019) Site Inspection Report for CPS 8579/1, Department of Water and Environmental Regulation. 23 September 2019. DWER ref DWERDT203973.

Environmental Protection Authority (EPA) (2008) Environmental Guidance for Planning and Development Guidance Statement No 33. Environmental Protection Authority, Western Australia.

Government of Western Australia (2019). *2018 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of March 2019*. WA Department of Biodiversity, Conservation and Attractions. https://catalogue.data.wa.gov.au/dataset/dbca-statewide-vegetation-statistics

Harewood, G. (2020) Habitat Tree Assessment of proposed clearing area CPS 8579/1, Main Road – Northcliffe (SLK 0.16 to 0.87). Unpublished report prepared for Shire of Manjimup. Version 1, June 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, Western Australia for the Department of Conservation and Land Management and Environment Australia.

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.

5. GIS Databases

- Aboriginal Sites of Significance
- CPS Areas applied to clear
- DBCA Managed Estate
- Hydrography, hierarchy
- Hydrography, linear
- SAC Bio Datasets
- Soils, Statewide
- TPFL
- WAHerb Data
- WA TEC PEC Boundaries