



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8617/1
Permit Holder:	City of Bunbury
Duration of Permit:	25 December 2019 to 25 December 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 road upgrades and expansion of a hang glider landing area.

2. Land on which clearing is to be done

Ocean Drive road reserve (PIN 11397285), South Bunbury
Ocean Drive road reserve (PIN 1329852), South Bunbury
Halifax Drive road reserve (PIN 1176611), Davenport
Halifax Drive road reserve (PIN 1297003), Davenport
Estuary Drive road reserve (PIN 1155907), Pelican Point
Estuary Drive road reserve (PIN 1297729), Pelican Point

3. Area of Clearing

The Permit Holder must not clear more than

- 0.0465 hectares of native vegetation within the area hatched yellow on attached Plan 8617/1a;
- 6 native trees within the area hatched yellow on attached Plan 8617/1b;
- 0.11 hectares of native vegetation within the area hatched yellow on attached Plan 8617/1c;
- 0.02921 hectares of native vegetation within the area hatched yellow on attached Plan 8617/1d.

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. Weed and Dieback 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

8. 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 or decimal degrees;
- (b) the date that the area was cleared;
- (c) the size of the area cleared (in hectares); and
- (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 minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 7 of this Permit.

9. Reporting

The Permit Holder must provide to the *CEO* on or before 30 June of each year, a written report:

- (a) of records required under condition 8 (records to be kept) of this Permit;
- (b) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year;
- (c) if no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, 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; and
- (d) prior to 25 September 2024, the Permit Holder must provide to the *CEO* a written report of records required under condition 8 of this Permit where these records have not already been provided under condition 9(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;

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.

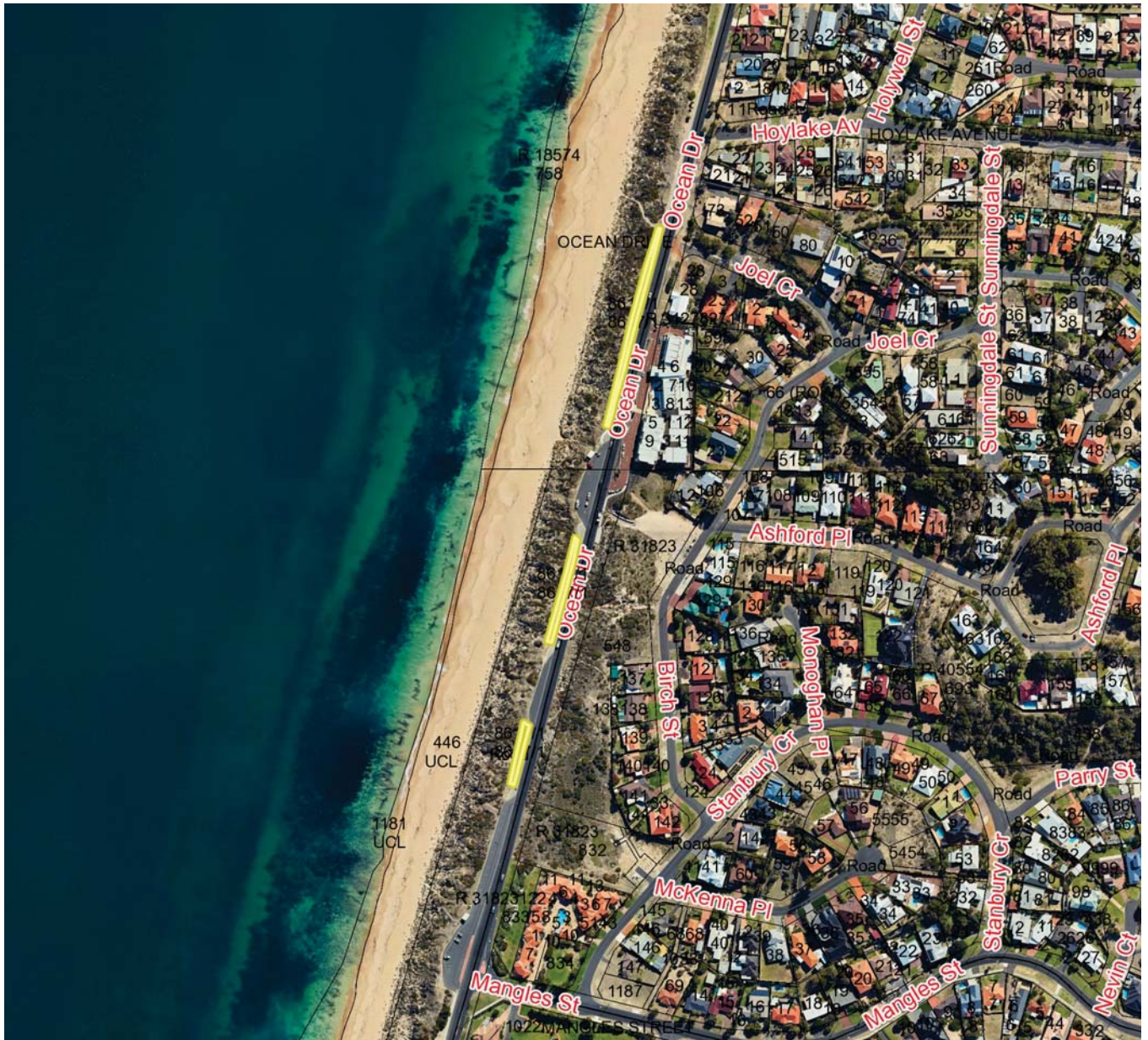
 Ryan Mincham
2019.11.25
16:11:17
+08'00'

Ryan Mincham
MANAGER
NATIVE VEGETATION REGULATION

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

25 November 2019

Plan 8617/1a



Legend

- CPS areas approved to clear
- Land Tenure (LGATE_226) - SLIP
- Roads - State Roads
- Roads - Major Roads
- Roads - Minor Roads

0.1 0.07 0.1 Kilometers



WGS_1984_Web_Mercator_Auxiliary_Sphere



Ryan Mincham
2019.11.25
16:12:45
+08'00'

Officer

Date

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

Disclaimer: This map is used as a generic static output for reference purposes. Information on this map may or may not be accurate, current, or otherwise reliable. While the Department of Water and Environmental Regulation, has made all reasonable efforts to ensure the accuracy of this data, the department accepts no responsibility for any inaccuracies and persons relying on this data do so at their own risk.

Copyright Department of Water and Environmental Regulation 2019. All Rights Reserved. All works and information displayed are subject to Copyright. For the reproduction or publication beyond that permitted by the Commonwealth Copyright Act 1968 written permission must be sought from the Agency.

Locality Map



Government of Western Australia
Department of Water and Environmental Regulation

Plan 8617/1b




Legend

- CPS areas approved to clear
- Land Tenure (LGATE_226)
 - SLIP
- Roads - State Roads
- Roads - Major Roads
- Roads - Minor Roads

0.0 0.01 0.0 Kilometers



WGS_1984_Web_Mercator_Auxiliary_Sphere

 Ryan Mincham
2019.11.25
16:12:26
+08'00'

Officer Date

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

Disclaimer: This map is used as a generic static output for reference purposes. Information on this map may or may not be accurate, current, or otherwise reliable. While the Department of Water and Environmental Regulation, has made all reasonable efforts to ensure the accuracy of this data, the department accepts no responsibility for any inaccuracies and persons relying on this data do so at their own risk.

Copyright Department of Water and Environmental Regulation 2019. All Rights Reserved. All works and information displayed are subject to Copyright. For the reproduction or publication beyond that permitted by the Commonwealth Copyright Act 1968 written permission must be sought from the Agency.

Locality Map



 Government of Western Australia
Department of Water and Environmental Regulation

Plan 8617/1c



1: 4,548

Legend

- CPS areas approved to clear
- Land Tenure (LGATE_226) - SLIP
- Roads - State Roads
- Roads - Major Roads
- Roads - Minor Roads

Ryan
Mincham
R. Mincham 2019.11.2
5 16:12:03
+08'00'

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

0.2 0 0.12 0.2

Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© Government of Western Australia, Department of Water and Environmental Regulation

Copyright Department of Water and Environmental Regulation 2019. All Rights Reserved. All works and information displayed are subject to Copyright. For the reproduction or publication beyond that permitted by the Commonwealth Copyright Act 1968 written permission must be sought from the Agency.

Disclaimer: This map is used as a generic static output for reference purposes. Information on this map may or may not be accurate, current, or otherwise reliable. While the Department of Water and Environmental Regulation, has made all reasonable efforts to ensure the accuracy of this data, the department accepts no responsibility for any inaccuracies and persons relying on this data do so at their own risk.



Plan 8617/1d



Legend

- CPS areas approved to clear
- Land Tenure (LGATE_226) - SLIP
- Roads - State Roads
- Roads - Major Roads
- Roads - Minor Roads

0.0 0.01 0.0 Kilometers



WGS_1984_Web_Mercator_Auxiliary_Sphere

R. Mincham

Ryan Mincham
2019.11.25
16:11:44
+08'00'

Officer

Date

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

Disclaimer: This map is used as a generic static output for reference purposes. Information on this map may or may not be accurate, current, or otherwise reliable. While the Department of Water and Environmental Regulation, has made all reasonable efforts to ensure the accuracy of this data, the department accepts no responsibility for any inaccuracies and persons relying on this data do so at their own risk.

Copyright Department of Water and Environmental Regulation 2019. All Rights Reserved. All works and information displayed are subject to Copyright. For the reproduction or publication beyond that permitted by the Commonwealth Copyright Act 1968 written permission must be sought from the Agency.

Locality Map



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.: 8617/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: City of Bunbury
Application received date: 16 July 2019

1.3. Property details

Property: Ocean Drive road reserve (PIN 11397285), South Bunbury
Ocean Drive road reserve (PIN 1329852), South Bunbury
Halifax Drive road reserve (PIN 1176611), Davenport
Halifax Drive road reserve (PIN 1297003), Davenport
Estuary Drive road reserve (PIN 1155907), Pelican Point
Estuary Drive road reserve (PIN 1297729), Pelican Point
Local Government Authority: City of Bunbury
Localities: Pelican Point, Davenport and South Bunbury

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.0465	6	Mechanical Removal	Road upgrades (Location 1)
		Mechanical Removal	Road upgrades (Location 2)
0.11		Mechanical Removal	Road upgrades (Location 3)
0.02921		Mechanical Removal	Recreation (Location 4)

1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 25 November 2019

Reasons for Decision: The clearing permit application was received on 16 July 2019, and has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986*. 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 clearing is unlikely to have any significant environmental impacts.

Given the above, the Delegated Officer decided to grant a clearing permit.

2. Site Information

Clearing Description

The application is to clear a total of 0.18571 hectares of native vegetation and 6 native trees within various road reserves for the purpose of road upgrades (locations 1-3) and a hang glider landing site (location 4).

The applicant has advised specific purposes for each site as follows:

- **Location 1** : To allow for the construction of two on-road bicycle lanes along Ocean Drive between Mangles Street and Hayward Street, Bunbury;
- **Location 2**: To allow for the construction of a 2.5 metre wide red asphalt footpath along South Western Hwy, between Robertson Drive, Halifax Drive and Rawling Road, Bunbury;
- **Location 3**: To allow for the widening of the existing cycle path along Estuary Drive between Railway and St Andrews and the level crossing to increase cyclist safety by not needing to cycle on the road;
- **Location 4**: To expand the current hang glider landing site to improve safety. (City of Bunbury, 2019)

Vegetation Description

The applicant advised that the vegetation within each location is as follows:

- **Location 1**: 0.0465 hectares of native vegetation grassland with some small areas of open low coastal heath;
- **Location 2**: 5 trees and 1 dead stump. Four *Corymbia calophylla* and 1 *Jaksonia furcellata*;

- **Location 3:** 11 live and 4 dead (0.04 hectares) *Eucalyptus rudis subsp. cratyantha* (woodland/ open forest) for southern end of the construction works. Mixture of a sedgeland of *Baumea juncea* and *Juncus kraussii* with scattered tall *Acacia saligna* shrubs and low salt-tolerant shrubs of *Frankenia pauciflora*, *Suaeda australis* and *Salicornia quinqueflora* for northern end of the construction works (0.07 hectares in total).
- **Location 4:** 0.02921 hectares of native vegetation grassland with some small areas of open low coastal heath.

(City of Bunbury, 2019)

Vegetation Condition

Completely Degraded: The structure of vegetation is no longer intact and the area is completely or almost completely without native species. These areas are often described as 'parkland cleared' with the flora comprising weed or crop species with isolated native trees or shrubs;

To

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

Comment

The condition and description of the vegetation within the application area was determined through a site inspection by Department of Water and Environmental Regulation (DWER) officers on 24 October 2019 (DWER, 2019).



Figure 1: Application area one – Ocean Drive – 0.0465 hectares for road upgrades



Figure 2: Application area two – Halifax Drive – 6 native trees for road upgrades



Figure 3: Application area three – Estuary Drive – 0.11 hectares for road upgrades



Figure 4: Application area four – Ocean Drive – 0.02921 hectares for a hang glider landing site

3. Minimisation and mitigation measures

The City of Bunbury advised that “the ability to avoid and mitigate native vegetation clearing is heavily constrained with respect to the footpaths location connectivity, road extension, and topography and service locations.” (City of Bunbury, 2019).

4. Assessment of application against clearing principles

Location 1

The applicant proposes to clear up to 0.0465 hectares for road upgrades within Ocean Drive (Figure 1).



Plate 1: Example image of northern most area

Plate 3: Example image of southern most area

Figures 5 and 6: Northern and southern vegetation within Location 1 of the application area (excerpt from Harewood, 2019).

A survey of the vegetation within location 1 noted that:

“Vegetation within all three areas of proposed clearing was largely comprised of grassland with some small areas of open low coastal heath all under about one metre in height. Vegetation within adjoining areas to the west also comprised open low coastal heath.

Based on the observations made... these areas do not represent western ringtail possum habitat of any value and it is unlikely to ever be utilised by this species for any purpose.” (Harewood, 2019).

Given the small area proposed to be cleared, the proposed clearing is not likely to contain a high level of biological diversity, be significant habitat for fauna, comprise a significant portion of any known priority or threatened ecological community, be significant as a remnant of vegetation in an extensively cleared landscape, contribute to or cause land degradation, deteriorate the quality of groundwater or surface water and is not likely to cause or exacerbate flooding. The application area is not mapped or observed to contain riparian vegetation and is not within or adjacent to a conservation area.

Given the above, the proposed clearing is not likely to be at variance with any of the clearing principles.

Location 2

The applicant proposes to clear up to 6 native trees for road upgrades within Halifax Drive.



Figure 7 and 8: Five native trees and one native tree stump to be removed at Location 2 (City of Bunbury, 2019).

Given the proposal is to clear specific trees all appearing to be juvenile to semi mature, the proposed clearing is not likely to contain a high level of biological diversity, be significant habitat for fauna, comprise a significant portion of any known priority or threatened ecological community, be significant as a remnant of vegetation in an extensively cleared landscape, contribute to or cause land degradation, deteriorate the quality of groundwater or surface water and is not likely to cause or exacerbate flooding. The application area is not mapped or observed to contain riparian vegetation and is not within or adjacent to a conservation area.

Given the above, the proposed clearing is not likely to be at variance with any of the clearing principles.

Location 3

Location 3 is comprised of two blocks hereon referred to as block A (SLK 1.86 to SLK 1.93) and block B (SLK 2.43 to SLK 2.53).



Figure 9: Location 3 showing blocks designated as block A and block B (excerpt from Harewood, 2019).



Plate 1: Vegetation - Area A



Plate 2: Vegetation - Area B

Figure 10 and 11: Vegetation within Location 3 - block A and block B

A survey of block A noted that:

“The vegetation in this area consists of an isolated dead tree and about nine large flooded gums (*Eucalyptus rudis*) over a grassland of introduced weeds. There is no native understorey or groundcover vegetation and the trees present have no canopy connectivity with other vegetation along the road verge or in the adjacent paddock.

Area A contains nine ‘habitat’ trees (i.e. Diameter at Breast Height of 50 cm or more). All of these trees were found to contain possible hollows with most being classified as unlikely to be suitable for black cockatoos, primarily due to having small entrance sizes and/or providing entry into small accommodating branches only.

Several of the hollows appeared on closer inspection to be potentially suitable for black cockatoos given the presence of actual hollows of a size which appeared suitable for black cockatoos to use, but in no instance was any evidence of use by black cockatoos found.

One tree with numerous hollows was found to be occupied by an eastern barn owl (*Tyto alba*) at the time of the survey.” (Harewood, 2019).

“No evidence of western ringtail possums using this area was observed during the day or night survey. Based on the observations made...this area of vegetation does not represent western ringtail possum habitat of any value and it is unlikely to ever be utilised by the species for any purpose.” (Harewood, 2019).

A survey of block B noted that:

“Area B contains 11 small swamp sheoak (*Casuarina obesa*) and two swamp paperbark (*Melaleuca raphiophylla*) trees over a grassland of weeds.

None of the trees present represent species known to be used as breeding habitat for black cockatoos and none meet the published size criteria.

Swamp sheoak represents potential foraging habitat for black cockatoos, however, no evidence of foraging was observed.” (Harewood, 2019).

“No evidence of western ringtail possums using this area was observed during the day or night survey. Based on the observations made...this area of vegetation represents very poor quality western ringtail possum habitat and is only likely to be used very rarely by this species.” (Harewood, 2019).

Given the small area proposed to be cleared, the proposed clearing is not likely to contain a high level of biological diversity, be significant habitat for fauna, comprise a significant portion of any known priority or threatened ecological community, be significant as a remnant of vegetation in an extensively cleared landscape, contribute to or cause land degradation, deteriorate the quality of groundwater or surface water and is not likely to cause or exacerbate flooding. The application area is not within or adjacent to a conservation area, however, is adjacent to a coastal saltmarsh. On this basis, the proposed clearing at variance with principle (f).

Given the above, the proposed clearing is at variance with principle (f) and not likely to be at variance with any of the remaining clearing principles.

Location 4

The applicant proposes to clear up to 0.02921 hectares of native vegetation for the purpose of increasing an existing hang glider landing site.



Figure 12: Vegetation within Location 4

Based on photographs of the vegetation within the application area, the vegetation at Location 4 is considered to comprise open low coastal heath and is likely to contain similar environmental values to Location 1. A survey of Location 1 identified that the vegetation, which is consistent with Location 4, was not suitable habitat for western ringtail possums (Harewood, 2019).

Given the small area proposed to be cleared, the proposed clearing is not likely to contain a high level of biological diversity, be significant habitat for fauna, comprise a significant portion of any known priority or threatened ecological community, be significant as a remnant of vegetation in an extensively cleared landscape, contribute to or cause land degradation, deteriorate the quality of groundwater or surface water and is not likely to cause or exacerbate flooding. The application area is not mapped or observed to contain riparian vegetation and is not within or adjacent to a conservation area.

Given the above, the proposed clearing is not likely to be at variance with any of the clearing principles.

Planning instruments and other relevant matters.

No Aboriginal site of significance has been mapped within the application areas.

The clearing permit application was advertised on the DWER website on 27 August 2019 with a 14 day submission period. The application was readvertised on 25 October 2019 for 7 days with the inclusion of Location 4. No public submissions were received in relation to this application during either submission period.

5. References

- City of Bunbury (2019) Application for a clearing permit and supporting documentation DWER Ref A1806110 and A1828844
- DWER (2019) Site inspection photographs for CPS 8617/1 – 24 October 2019.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.
- Harewood (2019) Surveys of the application areas Location 1-3 June 2019. DWER ref A1806110.