



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8689/1
Permit Holder:	Shire of Dardanup
Duration of Permit:	19 March 2020 to 19 March 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 road upgrades.

2. Land on which clearing is to be done

Harris Road road reserve (PIN 1292282), Picton East
Harris Road road reserve (PIN 1292284), Picton East

3. Area of Clearing

The Permit Holder must not clear more than 0.09 hectares of native vegetation within the area cross-hatched yellow and red on attached Plans 8689/1a, 8689/1b, 8689/1c, 8689/1d and 8689/1e.

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. 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.

8. Western Ringtail Possum Management

- (a) In relation to the area cross-hatched red on attached Plans 8689/1b and 8689/1e, the Permit Holder must engage a *fauna specialist* to inspect that area immediately 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 8(a) above are identified until either:
 - (i) the western ringtail possum(s) individual has been removed by a *fauna specialist*; or
 - (ii) the western ringtail possum(s) individual has moved on from that area to adjoining *suitable habitat*.
- (c) Any western ringtail possum (*Pseudocheirus occidentalis*) individuals removed in accordance with condition 8(b)(i) of this Permit must be relocated by a *fauna specialist* to *suitable habitat*.
- (d) Where fauna is identified under condition 8(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 date each individual was removed;
 - (vi) the date each individual was relocated;
 - (vii) 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
 - (viii) details pertaining to the circumstances of any death of, or injury sustained by, an individual.

PART III – RECORD KEEPING AND REPORTING

9. 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) 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 *dieback* and *weeds* in accordance with condition 7 of this Permit; and

10. Reporting

The Permit Holder must produce the records required under condition 9 of this Permit when required by the *CEO*.

DEFINITIONS

The following meanings are given to terms used in this Permit:

CEO means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*;

dieback means the effect of *Phytophthora* species on native vegetation;

fauna specialist means a person:

- (a) 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*; or
- (b) Who does not have appropriate professional qualifications, but has a minimum of seven 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. This often includes stands of myrtaceous trees (usually Peppermint Tree (*Agonis flexuosa*)) growing near swamps, watercourses or floodplains, and at topographic low points which provide cooler, often more fertile, conditions.

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.

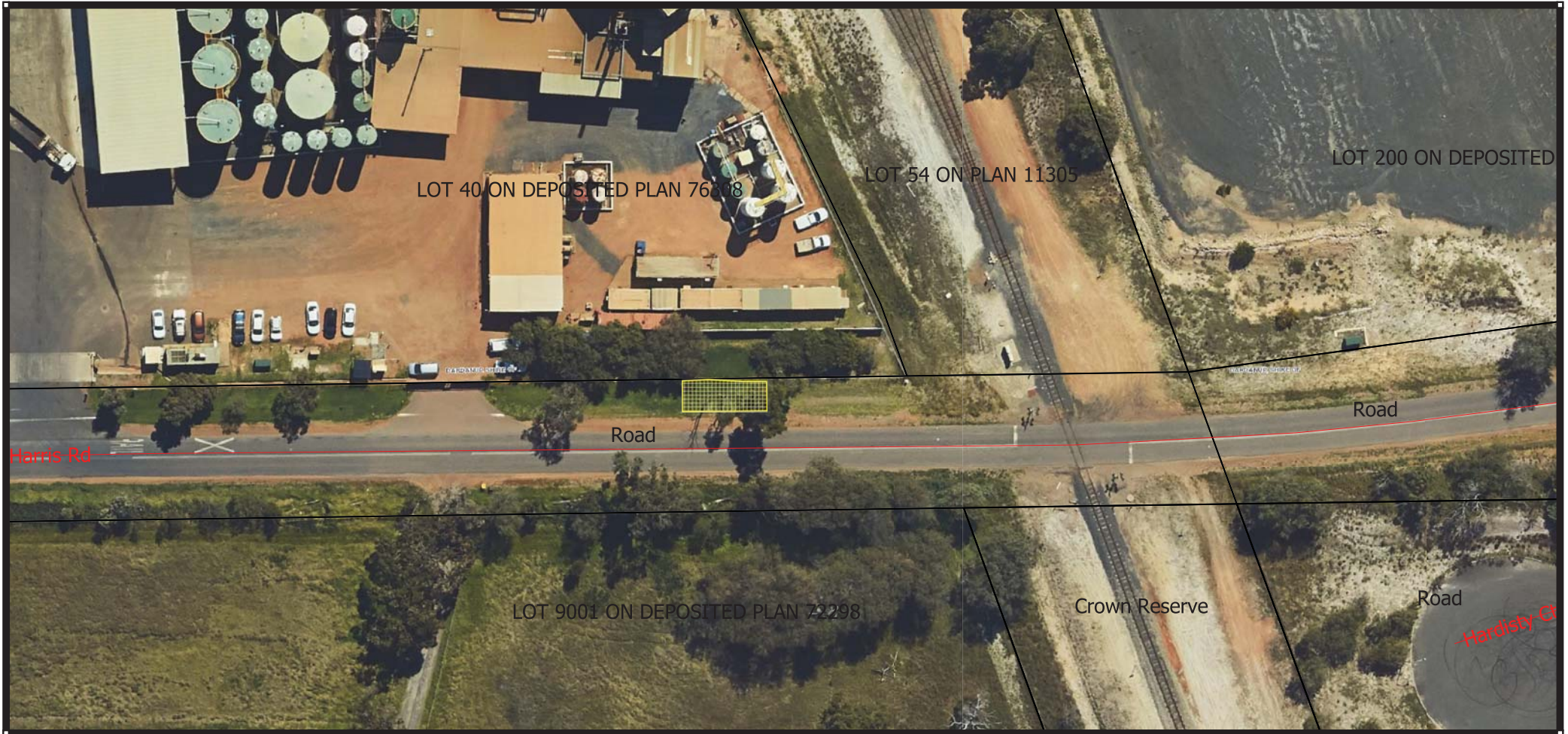
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Ryan Mincham
MANAGER
NATIVE VEGETATION REGULATION

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


18 February 2020

Plan 8689/1a



Legend

CPS layers

 CPS areas approved to clear

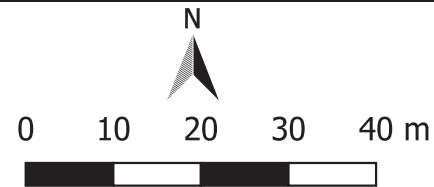
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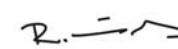
 Road Centrelines

 Cadastre - LGATE 218

Local Government Authority (LGA) Boundaries (LGATE-233)

Image




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Environmental Protection Act 1986





GOVERNMENT OF
WESTERN AUSTRALIA

Plan 8689/1b





Legend

CPS layers

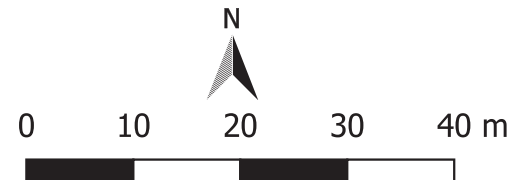
-  CPS areas approved to clear
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base layers

-  Road Centrelines
-  Cadastre - LGATE 218

Local Government Authority (LGA) Boundaries

Image

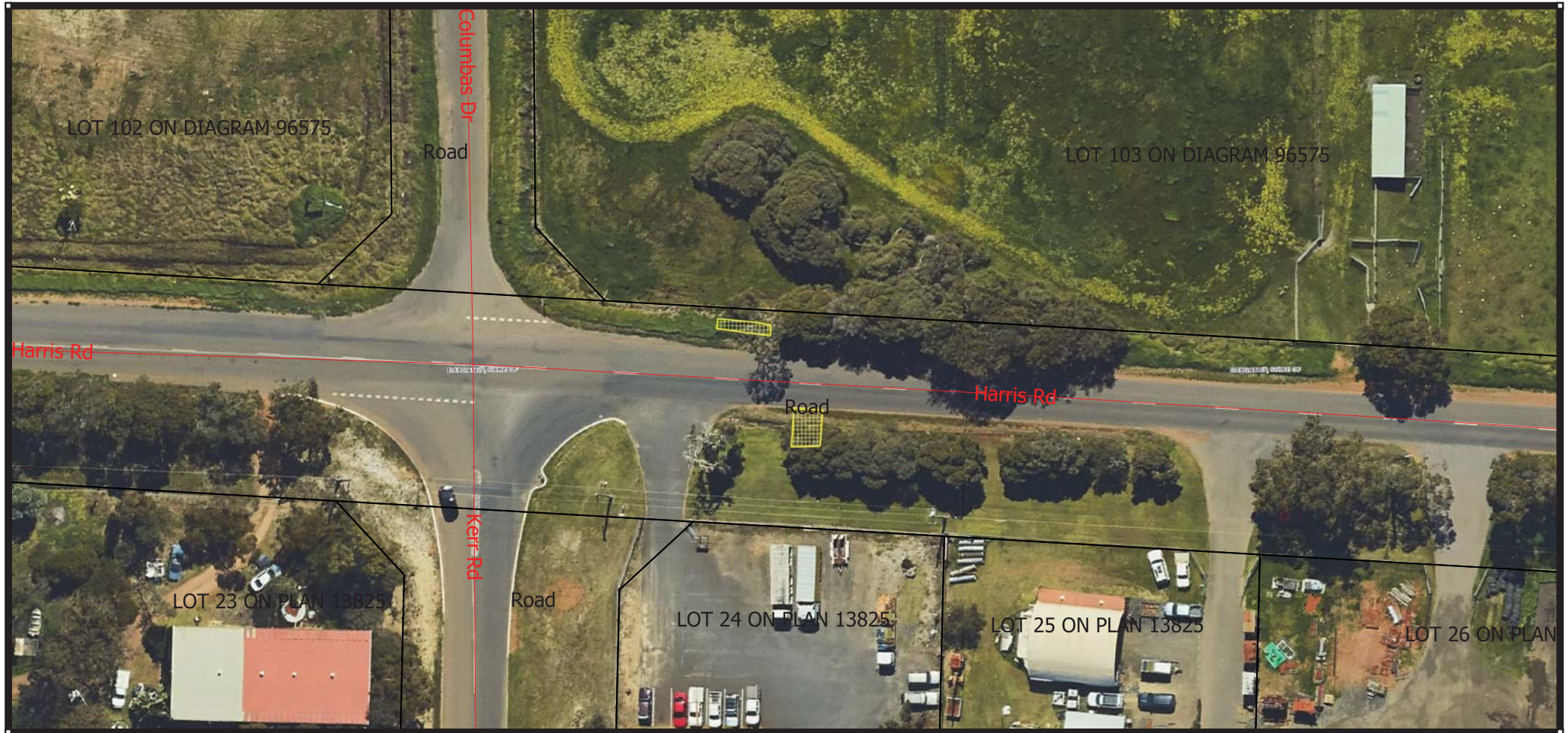


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Environmental Protection Act 1986




Plan 8689/1c



Legend

CPS layers

 CPS areas approved to clear


base layers

 Road Centrelines

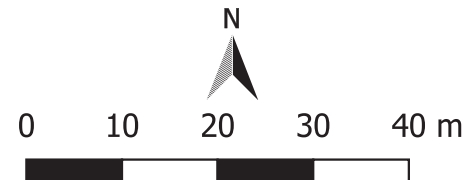
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Local Government Authority (LGA) Boundaries (LGATE-233)

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 Environmental Protection Act 1986




Plan 8689/1d



Legend

CPS layers

 CPS areas approved to clear


base layers

 Road Centrelines

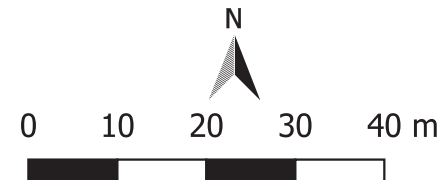
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Local Government Authority (LGA) Boundaries (LGATE-233)

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Environmental Protection Act 1986



Plan 8689/1e



Legend

CPS layers

 CPS subject to conditions


base layers

 Road Centrelines

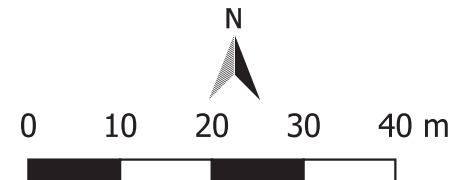
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Local Government Authority (LGA) Boundaries (LGATE-233)

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Environmental Protection Act 1986





Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8689/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Shire of Dardanup
Application received date: 4 October 2019

1.3. Property details

Property: Harris Road road reserve (PIN 1292282 and 1292284)
Local Government Authority: Shire of Dardanup
Localities: Picton East

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 18 February 2020

Reasons for Decision: The clearing permit application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act). It has been concluded that the proposed clearing is at variance with principle (f) and is not likely to be at variance with the remaining principles.

The Delegated Officer noted the avoidance and minimisation measures proposed by the applicant and the Completely Degraded to Degraded (Keighery, 1994) condition of the native vegetation within the application area, and considered that the proposed clearing is not likely to lead to an unacceptable risk to the environment.

Given the above, the Delegated Officer decided to grant the clearing permit subject to fauna management, weed and dieback management conditions.

2. Site Information

Clearing Description

The application is for the clearing of 0.09 hectares of native vegetation within the Harris Road road reserve (PIN 1292282 and 1292284), from straight line kilometre (SLK) 0.00 to SLK 2.00, for the purpose of road widening and safety improvements (Figures 1 - 5). Harris Road is utilised as part of a preferred route for cyclists when accessing Ferguson Valley from Bunbury, creating conflicts and safety concerns between heavy vehicle traffic and recreational cyclists (Accendo, 2019). The purpose of the proposed clearing involves widening the road and the inclusion of a bicycle path along the length.



Figure 1: Application area – Area A (outlined in blue)



Figure 2: Application area – Area B (outlined in blue)



Figure 3: Application area – Area C (outlined in blue)



Figure 4: Application area – Area D (outlined in blue)



Figure 5: Application area – Area E (outlined in blue)

Vegetation Description and Condition

The vegetation within the application area is mapped as the Guildford complex (Heddle et al, 1980), described as ‘a mixture of open forest to tall open forest of Marri – Wandoo (*Eucalyptus wandoo*) – Jarrah and woodland of Wandoo (with rare occurrences of *Eucalyptus lanepolei*). Minor components include Flooded Gum – *Melaleuca raphiophylla*’.

A site inspection of the application area was conducted by Department of Water and Environmental Regulation (DWER) environmental officers on 15 January 2020. During the inspection (DWER, 2020), it was noted that the vegetation proposed to be cleared comprised of individual or small groves of trees dominated by species such as marri, jarrah, peppermint (*Agonis flexuosa*) and paperbark (*Melaleuca raphiophylla* or *M. preissiana*) trees over a grassland of weeds (Figures 6 – 10). The site inspection determined that the vegetation condition of the application area is:

Degraded: Basic vegetation structure severely impacted by disturbance;

To

Completely Degraded: The structure of the vegetation is no longer intact and the area is completely or almost completely without native species (Keighery, 1994).



Figure 6: Individual marri trees to be cleared (Area A)



Figure 7: Peppermint trees with weedy groundcover to be cleared (Area B)



Figure 8: Paperbark trees over weedy grassland to be cleared (Area C)



Figure 9: Paperbark trees over weedy grassland to be cleared (Area D)



Figure 10: Peppermint trees with weedy groundcover to be cleared (Area E)

Soil/Landform Type

The application area is mapped within the following soil units (Barnesby et al, 2000):

- Bassendean B1a Phase, described as 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 one metre of the surface; marri and jarrah dominant; and
- Bassendean B2 Phase, described as flat to very gently undulating sandplain with well to moderately well drained deep bleached grey sands with a pale yellow B horizon or a weak iron-organic hardpan.

Comment

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

3. Minimisation and mitigation measures

The applicant advised that the minimisation of vegetation clearing was considered through the design process and where possible, clearing has been avoided through engineering techniques (Shire of Dardanup, 2019). Removal of individual trees is only to occur where necessary to complete road works, and this was evident during the site inspection where it was observed that only minimal clearing will occur. Batten infill of verge widening has been reduced from 1 in 4, to 1 in 3 where possible to reduce clearing requirements (Shire of Dardanup, 2019).

4. Assessment of application against clearing principles

A review of the available databases identified 12 conservation significant flora species within the local area (Accendo, 2019). Of these species, *Diuris drummondii* (Threatened) and *Caladenia speciosa* (Priority 4) have been identified to possibly occur within the application area based on habitat and preferred soil types. The site inspection undertaken by DWER determined that the groundcover was either cleared or comprised of weeds, mainly *Cenchrus clandestinus* (kikuyu grass) (DWER, 2020). It is unlikely that the aforementioned conservation significant flora species will occur, due to the vegetation type and condition of the application area.

According to available databases, five fauna species listed as Schedule 1, five fauna species listed as Schedule 3, three Priority 3 and two other specially protected fauna species have been recorded within the local area (Accendo, 2019). Of these species, *Calyptorhynchus banksii naso* (Forest Red-Tailed black cockatoo), *Calyptorhynchus baudinii* (Baudin's cockatoo), *Calyptorhynchus latirostris* (Carnaby's cockatoo), and *Pseudocheirus occidentalis* (Western Ringtail Possum) have been identified as having the potential to occur within the application area.

Carnaby's cockatoo and Baudin's cockatoo are listed as Endangered and Forest Red-Tailed black cockatoo are listed as Vulnerable under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). 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). The vegetation within the application area includes marri and jarrah trees, however none contained hollows or possible hollows potentially suitable for black cockatoos (Harewood, 2019). There are three confirmed roosting sites within the local area, all approximately four kilometres north-west of the application area. However, there is a lack of suitable roosting trees for black cockatoos within the application area and no evidence of roosting activity was recorded (Harewood, 2019). Noting this, the application area is not likely to be a significant breeding or roosting habitat for black cockatoos.

Black cockatoos have a preference for feeding habitat that includes jarrah and marri woodlands and forest heathland and woodland dominated by proteaceous plant species such as *Banksia* sp., *Hakea* sp. and *Grevillea* sp. (Commonwealth of Australia, 2012). Given that the vegetation proposed to be cleared consists predominantly of individual trees, the application area is not likely to comprise of significant habitat for these species. Suitable habitat in better condition that will provide foraging habitat for this species is located directly north-west of the western-most aspect of application area.

Peppermint trees are important habitat for Western Ringtail Possums (WRPs), listed as 'critically endangered' under the *Biodiversity Conservation Act 2016*. A WRP assessment recorded two dreys and two individuals in proximity to the application area (Harewood, 2019). While the presence of WRPs were recorded, it is unlikely that the application area would serve as a significant habitat for WRPs. Extents of remnant native vegetation north-west and south-west of the application area mapped as suitable habitat and where WRPs have been recorded, are more likely to be a significant habitat for WRPs. The proposed clearing is restricted to small groves of trees and is of low value due to the fragmented nature of vegetation within the road reserve, however, a fauna management condition has been imposed on the permit to ensure the clearing of trees within potential WRP habitat (Areas B and E) does not occur when WRP are present.

There are no Threatened or Priority Ecological Communities (TECs/PECs) mapped within the application area. According to the available databases, the 'Banksia Dominated Woodlands of the Swan Coastal Plain' Priority 3 ecological community and federally listed TEC occurs in the local area, with the closest patch located approximately 175 metres from the application area. Noting that the proposed clearing will be restricted to the vegetation identified within the road reserve, no adverse impacts to this PEC are expected from the proposed clearing.

The Environmental Protection Authority (EPA) recognises the Greater Bunbury Region to be a constrained area, within which a minimum 10 per cent representation threshold for ecological communities is recommended (EPA, 2003). The local area retains approximately 15.37 per cent (1,209 hectares) of remnant native vegetation, which is above the EPA's objective. The application area is mapped within the Guildford vegetation complex of which only five per cent of the pre-European extent is remaining (Government of Western Australia, 2019). Given the mapped vegetation complex retains below the recommended threshold, the application area is considered to be located within an extensively cleared landscape. However, the vegetation proposed to be cleared is predominantly in Completely Degraded condition, does not comprise high biological diversity, significant habitat for fauna, threatened or priority flora or threatened ecological communities, and therefore is not considered to be significant as a remnant of native vegetation.

The majority of the application is mapped as a multiple use wetland. Multiple use category wetlands are wetlands with few important ecological attributes and functions remaining. The application area however does not contain any defined natural surface water features or channels, with the closest watercourse being Ferguson River to the south. No riparian vegetation was observed during the site inspection (DWER, 2020). Noting that the application area is mapped within a wetland, the proposed clearing is considered to be at variance with clearing principle (f), however no adverse impacts to wetlands or watercourses are expected from the proposed clearing.

The nearest Department of Biodiversity, Conservation and Attractions (DBCA) conservation area is an un-named reserve which is approximately 650 metres south-west of the application area. The proposed clearing is unlikely to impact on the environmental values of the conservation area due to the restricted clearing.

Noting the extent of the proposed clearing, the proposed clearing is not likely to exacerbate or contribute to further land degradation, deteriorate the quality of groundwater or cause or exacerbate the potential for flooding beyond than that which is currently present.

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 area is not mapped within registered Aboriginal Heritage sites. There is a part of the application area which intersects a lodged site, the Bunbury Bypass Archaeological Site 3 (Site ID: 18886) which is associated with artefacts and scatter. The applicant is advised to consult with the Department of Planning, Lands and Heritage to ensure their obligations under the *Aboriginal Heritage Act 1972* are met prior to undertaking the proposed clearing. It is the applicant's responsibility to obtain any other licences or approvals that may be required for the proposed works.

The clearing permit application was advertised on the DWER website on 23 November 2019 with a 14 day submission period. No public submissions have been received in relation to this application.

5. References

- Accendo (2019) Clearing Permit Application supporting documentation: SLK 0.00 – SLK 2.00, Harris Road, Dardanup. Report prepared for Shire of Dardanup, by Accendo Australia, September 2019.
- Barnesby, B.A. and Proulx-Nixon, M.E. (2000). Land resources from Harvey to Capel on the Swan Coastal Plain, Western Australia - Sheet 2. Land Resources Map 23/2. Agriculture Western Australia.
- 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 (DWER) (2020) CPS 8689/1 Site inspection report. DWER ref: A1866922
- Environmental Protection Authority (EPA) (2003) Greater Bunbury Region Scheme. Bulletin 1109, Environmental Protection Authority, Perth, Western Australia.
- Harewood (2019) Fauna assessment for CPS 8689/1 Harris Road (SLK 0.00 to SLK 1.65), Picton East. Report prepared for Shire of Dardanup, by Greg Harewood, November 2019.
- Hedde, E. M., Loneragan, O. W., and Havel, J. J (1980) Atlas of Natural Resources. Western Australia Department of Conservation and Environment.
- Government of Western Australia (2019). 2018 South West Vegetation Complex Statistics. Current as of March 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.
- Shire of Dardanup (2019) Clearing Permit Application. DWER ref: A1836639

GIS Databases:

- Aboriginal Sites of Significance
- Black Cockatoo Roost sites
- Directory of Important Wetlands in Australia
- Geomorphic Wetlands – Swan Coastal Plain
- Ramsar Sites
- Threatened fauna
- TPFL data
- WA Herb data
- WA TEC PEC boundaries
- Western Ringtail Possum habitat suitability