



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8689/2
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 0.048 hectares of native vegetation within the area cross-hatched yellow and red on attached Plans 8689/2a, 8689/2b, 8689/2c, 8689/2d and 8689/2e.

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 8689/2b and 8689/2e, 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 8(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 8(b)(ii) of this Permit must be relocated by a *western ringtail possum 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 relevant qualifications of the *western ringtail possum specialist* undertaking removal and relocation;
 - (vi) the date each individual was removed;
 - (vii) the method of removal;
 - (viii) the date each individual was relocated;
 - (ix) the location where each individual was relocated to, recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees; and
 - (x) details pertaining to the circumstances of any death of, or injury sustained by, an individual.

PART III – RECORD KEEPING AND REPORTING

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
- (f) actions taken in accordance with condition 8 of this Permit.

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 who holds a tertiary qualification specialising in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence 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 species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned;

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



Meenu Vitarana
A/MANAGER
NATIVE VEGETATION REGULATION

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

25 May 2020

Plan 8689/2 a



- Legend**
- CPS areas approved to clear
 - Roads - State Roads
 - Roads - Major Roads
 - Roads - Minor Roads
 - Cadastre
 - CPS subject to conditions

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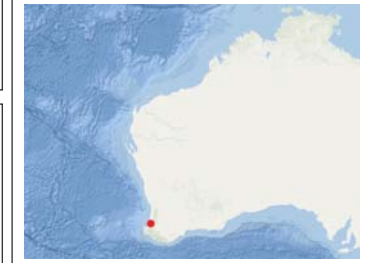
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Plan 8689/2 b



- Legend
- CPS areas approved to clear
 - Roads - State Roads
 - Roads - Major Roads
 - Roads - Minor Roads
 - Cadastre
 - CPS subject to conditions

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Plan 8689/2 c



- Legend**
- CPS areas approved to clear
 - Roads - State Roads
 - Roads - Major Roads
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Plan 8689/2 d



Legend

- CPS areas approved to clear
- Roads - State Roads
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- Roads - Minor Roads
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Department of Water and Environmental Regulation

Plan 8689/2 e



- Legend**
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 - Roads - Major Roads
 - Roads - Minor Roads
 - Cadastre
 - CPS subject to conditions

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Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8689/2
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Shire of Dardanup
Application received date: 7 May 2020

1.3. Property details

Property: Harris Road road reserve (PINs 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:
0.048		Mechanical Removal	Road construction or upgrades

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 25 May 2020

Reasons for Decision: The clearing permit amendment application was received on 7 May 2020 and relates to a request to amend Clearing Permit CPS 8689/2 to include an additional four trees, comprising 0.024 hectares, within the application area. The amendment application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the Environmental Protection Act 1986, and the Delegated Officer has been concluded that that the proposed additional clearing of 0.024 hectares is at variance with clearing principle (f) and not likely to be at variance with the remaining clearing principles.

The Delegated Officer determined that the proposed clearing is not likely to have any adverse impacts to the multiple-use wetland mapped within the application area.

The Delegated Officer also determined that the proposed assessment has not changed since the assessment for CPS 8689/1 for the remainder of the application area.

In determining to grant a clearing permit subject to conditions, the Delegated Officer considered that the proposed clearing is not likely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description

The amendment application is for the proposed clearing of an additional four trees, comprising 0.024 hectares of native vegetation, within Harris Road reserve (PIN 1292284), Picton East, for the purpose of improving the safety of the upgraded Harris Road alignment (Figure 1). This area will be cleared in addition to the 0.024 hectare area authorised to clear under 8689/1 (Figure 1).

Vegetation Description and Condition

The vegetation within the application area is mapped as the Guildford complex (Heddele 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 lanepoolei*). Minor components include Flooded Gum – *Melaleuca raphiophylla*'.

Photographs of the additional areas were provided to the Department of Water and Environmental Regulation (DWER) by Shire of Dardanup (Shire of Dardanup, 2020a). Photographs showed that vegetation within the application area comprised of two live trees (likely marri) and two dead trees which could not be identified, with no visible hollows, with an understorey of non-native grass or bare ground (Figure 2). The photographs showed that the vegetation condition of the application area is Degraded: basic vegetation structure severely impacted by disturbance (Keighery, 1994).

Soil/Landform Type

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

- 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.
- Pinjarra P2 phase, described as flat to very gently undulating plain with deep alkaline mottled yellow duplex soils which generally consist of shallow pale sand to sandy loam over clay.

Comment

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



Figure 1: Entire application area (cross hatched blue) with additional areas circled in red



Figure 2: Photographs of the additional trees proposed to be cleared (Shire of Dardanup, 2020a)

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

This amendment is to include an additional area of 0.024 hectares to the permit for the purpose of road widening and safety improvements. The already approved area of 0.024 hectares has not been reassessed and an assessment of this area can be found in Clearing Permit Decision Report CPS 8689/1. The application area in the following assessment therefore refers only to the additional 0.024 hectares of native vegetation proposed for clearing, as indicated in the areas circled in red in Figure 1.

The applicant advised that previous works undertaken as per Clearing Permit 8689/1 were conservative and steps were taken throughout the design stage to minimise the amount of clearing required (Shire of Dardanup 2020b). Clearing Permit Decision Report CPS 8689/1 contains more information regarding minimisation measures undertaken under Clearing Permit 8689/1. The applicant advised that these four additional trees needed to be removed as they posed a safety risk if left in place with the new road alignment (Shire of Dardanup, 2020b)

Twelve conservation significant flora species have been recorded 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. However, photographs (Shire of Dardanup 2020) showed that native understorey species were unlikely to be present within the application area, as the understorey beneath the trees to be cleared appears to consist of bare ground and non-native grass.

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) and *Calyptorhynchus latirostris* (Carnaby's cockatoo) have been identified as having the potential to occur within the application area. A fauna habitat survey (Harewood, 2019) encompassing the application area as well as photographs taken of the application area, including close-up photographs of the tree canopies (Shire of Dardanup, 2020a) showed that no breeding trees with suitable hollows for black cockatoos are present within the application area. No evidence of breeding and roosting activity were recorded by 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 of only two live 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 north-west of the application area.

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 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 530 metres from the application area. The application area is not representative of this TEC (figure 2).

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 in 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 and its surrounds is significantly altered and 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 1.6 kilometres 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 that which is currently present.

Given the above, the proposed additional 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.

The clearing permit amendment application was advertised on the DWER website on 13 May 2020 with a 7 day submission period. No public submissions have been received in relation to this application.

CPS 8689/1 authorised the clearing of 0.09 hectares, however during the assessment of the amendment this area was found to be erroneous. The total authorised clearing area for this CPS 8689/2 reflects the correct area of 0.048 hectares as digitised in Plans 8689/2a to 8689/2e.

4. 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 Decision Report. DWER ref: A1866876
- 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 CPS 8689/1. DWER ref: A1836639
- Shire of Dardanup (2020a) CPS 8689/2 – Supporting information - Site photographs. Available from [ftp://ftp.dwer.wa.gov.au/permit/ under 8689](ftp://ftp.dwer.wa.gov.au/permit/under%208689). DWER ref: A1891937
- Shire of Dardanup (2020b) Clearing Permit Application CPS 8689/2. DWER ref: A1891641

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