



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

<b>Purpose Permit number:</b>	CPS 8697/1
<b>Permit Holder:</b>	Shire of Dardanup
<b>Duration of Permit:</b>	4 March 2020 to 4 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**

Pile Road road reserve (PIN 11169098), Henty  
Pile Road road reserve (PIN 11169099), Ferguson  
Pile Road road reserve (PIN 11169100), Ferguson  
Pile Road road reserve (PIN 1346292), Ferguson  
Pile Road road reserve (PIN 1346290), Ferguson

**3. Area of Clearing**

The Permit Holder must not clear more than 0.54 hectares of native vegetation (95 trees) within the area cross-hatched yellow on attached Plan 8697/1a and Plan 8697/1b.

**4. Application**

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

**5. Type of clearing authorised**

The permit holder may clear native vegetation for the activities described in condition 1 to the extent that the permit holder has the power to carry out works involving clearing for those activities under the *Local Government Act 1995* or any other written law.

### **PART II – MANAGEMENT CONDITIONS**

**6. Avoid, minimise and reduce the impacts and extent of clearing**

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

## 7. 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 yellow on attached Plan 8697/1a, 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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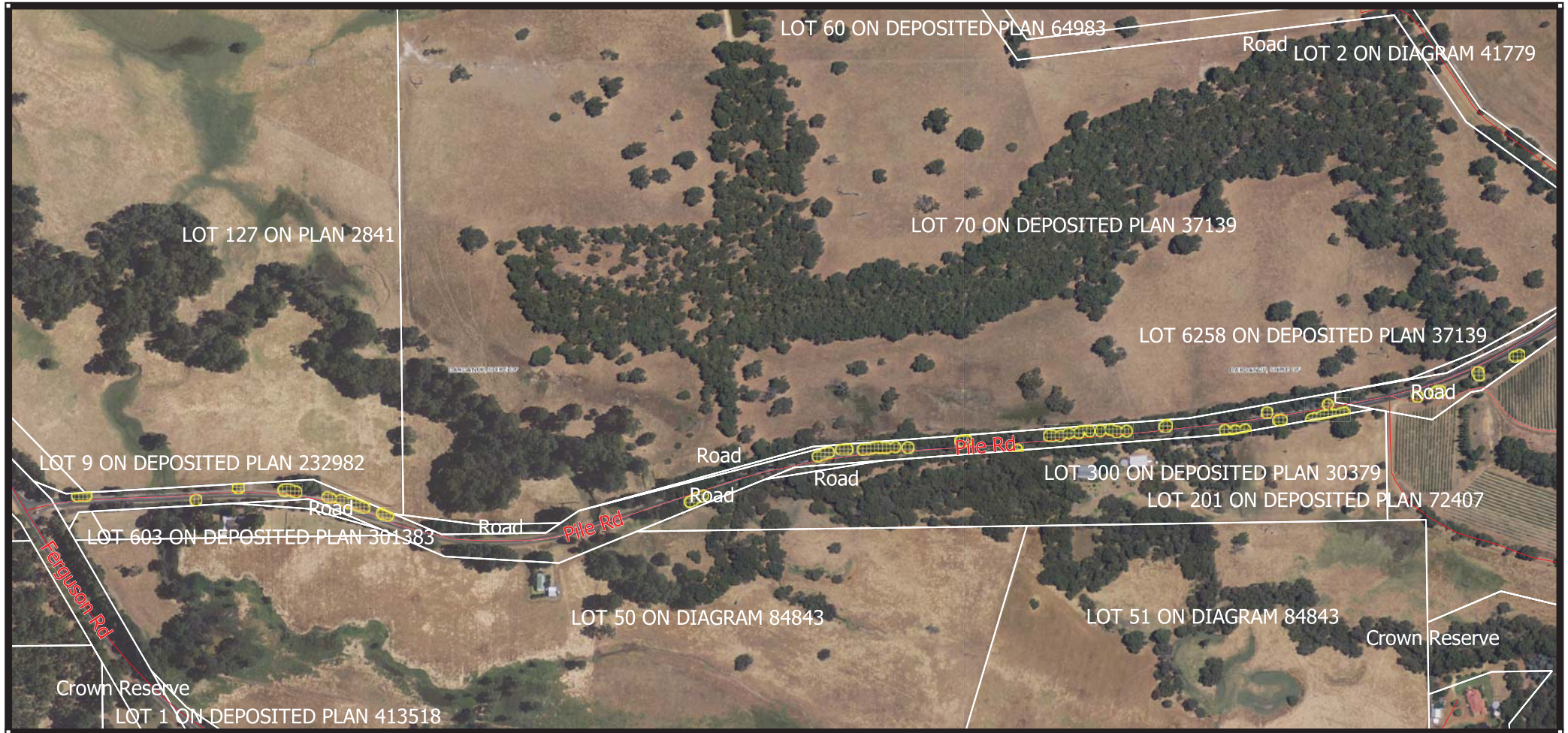
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Ryan Mincham  
MANAGER  
NATIVE VEGETATION REGULATION

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


3 February 2020

# Plan 8697/1 a



## Legend

### CPS layers

 CPS areas approved to clear

### base layers

 Road Centrelines

Cadastre - LGATE 218

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



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Officer delegated under section 20 of the  
Environmental Protection Act 1986







# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 8697/1  
Permit type: Area Permit

### 1.2. Applicant details

Applicant's name: Shire of Dardanup  
Application received date: 14 October 2019

### 1.3. Property details

Property: Pile Road road reserve (PIN 11169098), Henty  
Pile Road road reserve (PIN 11169099), Ferguson  
Pile Road road reserve (PIN 11169100), Ferguson  
Pile Road road reserve (PIN 1346292), Ferguson  
Pile Road road reserve (PIN 1346290), Ferguson  
Local Government Authority: Shire of Dardanup  
Localities: Ferguson and Henty

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.54	95	Mechanical Removal	Road upgrades

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 3 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 to principle (f), may be at variance to principle (a) and (b) and is not likely to be at variance to the remaining principles.

It has been determined that the proposed clearing will result in the clearing of:

- 95 trees and saplings (0.54 hectares) of which approximately half are associated with a watercourse;
- approximately 0.24 hectares of vegetation within an area identified as suitable habitat for Western Ringtail Possums (*Pseudocheirus occidentalis*), noting that the majority of trees proposed to be cleared in this area are smaller trees.

The applicant has avoided and minimised impacts through the consultation with engineers and planners to design the road alignment to avoid larger trees within the road reserve.

Given the above, the Delegated Officer decided to grant a clearing permit subject to additional conditions to manage potential impacts on Western Ringtail Possums.

## 2. Site Information

Clearing Description: The application is to clear 95 native trees and saplings (0.54 hectares) within Pile Road road reserve (PINs 11169098, 11169099, 11169100, 1346292, and 1346290), within the locality of Henty and Ferguson, for the purpose of road upgrades (Figure 1 & 2).

Vegetation Description: Two vegetation complexes have been mapped within the application area:

- Blackwood Plateau and Plain – Woodland of *Eucalyptus rudis*-*Agonis flexuosa*-*Banksia seminuda* along streams, open forest of *Corymbia calophylla*-*Eucalyptus patens* on slopes in the humid zone. Open forest of *Eucalyptus marginata* subsp. *marginata*-*Corymbia calophylla*-*Allocasuarina fraseriana*-*Banksia grandis*-*Xylomelum occidentale* on lateritic uplands in perhumid and humid zones (Mattiske & Havel, 1998).
- Darling Plateau (uplands) – Mosaic of open forest of *Eucalyptus marginata* subsp. *marginata*-*Corymbia calophylla*, with some admixtures with *Eucalyptus laevis* in the north (subhumid zone), with occasional *Eucalyptus marginata* subsp. *elegantella* (mainly in subhumid zone) and *Corymbia haematoxylon* in the south (humid zone) on deeper soils adjacent to outcrops, woodland of *Eucalyptus wandoo* (subhumid and semiarid zones), low woodland of *Allocasuarina huegeliana* on shallow soils over granite outcrops, closed heath of Myrtaceae-Proteaceae species and lithic complex on or near granite outcrops in all climate zones (Mattiske & Havel, 1998).

Only one tree is located within the Darling Plateau vegetation complex.

**Vegetation Condition:** Degraded; basic vegetation structure severely impacted by disturbance, scope for regeneration but not to a state approaching good condition without intensive management (Keighery, 1994).

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

The majority of the vegetation within the application area is in a completely degraded condition (Figure 3; Keighery, 1994). The vegetation condition was determined using comments provided in the fauna survey report, as well as observations made during a site inspection conducted by DWER staff on 15 January 2020 (Harewood, 2019; DWER, 2020).

**Soil type:**

There are five soil types mapped within the application area:

- Preston Subsystem (214GvPR): River channels, narrow flood plains and well drained alluvial terraces. Soils are brown loamy earths and some brown deep sands.
- Rosa moderate slopes phase (214GvRO4): Moderate valley slopes (relief 20-50 m, slopes 15-30%).
- Rosa low slopes phase (214GvRO3): Low valley slopes (relief of 30-60 m and gradients of 5-20%).
- Dickson footslopes phase (255LvDSf): Relief 5-20 m, slopes 2-10%. Soils are loams with some shallow loamy duplex soils and loamy gravels.
- Dickson moderate slopes phase (255LvDS4): Relief 80-160 m, slopes 10-30%. Soils are loamy earths with scattered rock outcrop (gneiss) (Schoknecht *et al.*, 2004).

**Comments:**

The local area referred to in the assessment of this application is defined as a 10 kilometre radius measured from the perimeter of the application area.

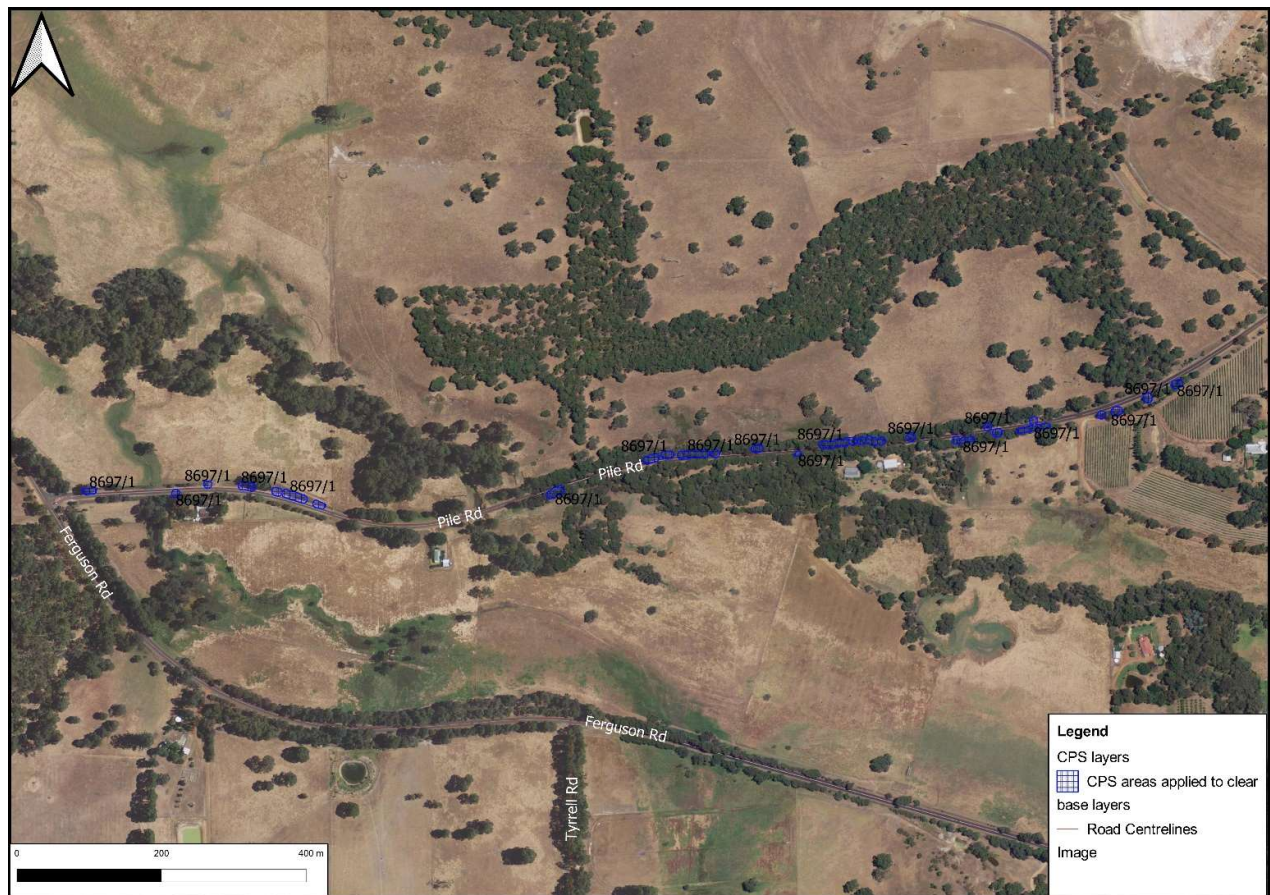


Figure 1: Application area (1)



Figure 2: Application area (2)



Figure 3: Photographs of application area

### 3. Minimisation and mitigation measures

The applicant has worked with designers to ensure road safety whilst minimising the damage or removal of vegetation where possible.

### 4. Assessment of application against clearing principles

According to available databases, a total of 30 conservation significant flora have been recorded in the local area, of which five are listed as threatened under the *Biodiversity Conservation Act 2016*. A desktop assessment determined that the application area is not likely to provide suitable habitat for 24 conservation significant species and may be somewhat suitable for six species, which have been previously recorded in disturbed roadside and adjacent conservation areas:

- *Caustis* sp. Boyanup (G.S. McCutcheon 1706) (Priority 3)
- *Grevillea rosieri* (Priority 2)
- *Pultenaea skinneri* (Priority 4)



- *Stylidium perplexum* (Priority 1)
- *Synaphea odoicoileops* (Priority 1)
- *Synaphea polyodioides* (Priority 3)

All six species are perennial and may be identified outside of their flowering period, however no conservation significant flora species were observed during the site inspection undertaken by DWER staff; very few native understorey species were present (Figure 3; DWER, 2020). Based on the vegetation condition and small size of the application area, the proposed clearing is not likely to comprise a high level of biological diversity.

A total of 19 conservation significant fauna have been recorded in the local area. Of these, the application area is likely to provide suitable habitat for four:

- Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksii naso*) (Vulnerable)
- Baudin's Cockatoo (*Calyptorhynchus baudinii*) (Endangered)
- Carnaby's Cockatoo (*Calyptorhynchus latirostris*) (Endangered)
- Western Ringtail Possum, ngwayir (*Pseudocheirus occidentalis*) (Critically Endangered)

A fauna survey undertaken to inform the clearing permit identified four Marri (*Corymbia calophylla*) trees with a diameter at breast height greater than 500 millimetres, indicating potentially suitable habitat for black cockatoo roosting and breeding; however, no hollows were located within any of the trees within the application area (Harewood, 2019). Evidence of black cockatoo feeding on Marri flowers and nuts was noted during the site inspection, particularly within the trees located between SLK 0.6 – SLK 1.2 (DWER, 2020). However, the majority of mature Marri trees providing foraging habitat within the road reserve are being retained, with the applicant adjusting road design to minimise clearing of mature trees (DWER, 2020). Overall, the application is not likely to provide significant habitat for black cockatoos, with DBCA managed areas to the east and southwest likely to provide more suitable habitat for foraging, breeding and roosting.

The fauna survey included a targeted survey for Western Ringtail Possum (*Pseudocheirus occidentalis*) (WRP) habitat and presence. The survey identified 0.6 kilometres of the road reserve as habitat for the WRP, with dreys and possums observed within the road reserve (Harewood, 2019). No dreys are located within the trees proposed to be cleared, however, the trees to be removed, particularly peppermint (*Agonis flexuosa*), may provide suitable foraging habitat for this species. The adopted recovery plan for this species indicates that critical habitat for the area includes “long unburnt mature remnant peppermint woodlands with high canopy continuity and high nutrient foliage with minimal periods of summer moisture stress, and habitat connecting patches of remnants” (DPaW, 2017). The road reserve currently connects patches of remnant peppermint in private property on either side of the road, however, as the clearing only involves selected trees, and the majority of trees to be removed are relatively small, the proposed clearing is not likely to decrease the connectivity of these remnant patches. Management conditions have been imposed on the permit to ensure the clearing of trees does not occur when WRP are present.

The vegetation along Pile Road may provide connectivity between Boyanup State Forest (located 60 metres southwest of the west end of the application area) and Wellington National Park (865 metres east of the east end of the application area). However, the proposed clearing does not remove the entire width of the roadside vegetation with connectivity still remaining along the road. Additionally, there are other strips of intact vegetation in the area that are likely to provide continuous linkage, including Ferguson River and the associated riparian vegetation. The proposed clearing is not likely to restrict the movement of fauna species though the landscape significantly, or negatively impact on the environmental values of these nearby conservation areas.

A South West Regional Ecological Linkage passes through Pile Road, where the application area is present. The application area may provide linkage throughout the local area, which is highly fragmented. The roadside conservation values of the application area has been mapped as having a medium-low conservation value which is described as having a smaller range of native plants present, patchy native vegetation cover, larger weedy patches, often aggressive weeds, with few habitat features present (RCC 1996; RCC, 2016).

Three threatened ecological communities (TEC) were recorded within the local area, however the application area was determined not to be suitable, based on soil type, drainage and vegetation type. The proposed clearing of the application area is not likely to comprise part of, or is necessary for the maintenance of a TEC.

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 per cent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001). The Jarrah Forest bioregion currently has approximately 56 per cent of the pre-1750 extent remaining, with the Blackwood Plains and Plateau having approximately 53 per cent of its vegetation remaining, and the Darling Plateau upland vegetation complex having approximately 42 per cent of its vegetation remaining. DBCA manage approximately 67 per cent of the remnant vegetation in the Jarrah Forrest Bioregion. Based on the high level of vegetation cover in the local area and the small size of application area, the proposed clearing is not assessed as being significant as a remnant of native vegetation in an area that has been extensively cleared.

The application area is not located within close proximity to any wetlands of national (ANCA) or international importance (RAMSAR). One tree to be removed falls within an area mapped as a low value wetland, which is associated with the Ferguson River. The road along which the application area is located intersects the Ferguson River, with the nearest tree approximately 20 metres from the river centreline. The trees located in the valley (approximately 0.24 hectares) which are proposed to be cleared are growing in association with this watercourse, although the applicant has identified this and minimised clearing of this vegetation in particular during the design of the road upgrade (DWER, 2020).

Based on the small application area size, spatial distribution of the clearing, landscape position and low groundwater salinity levels (500 – 1000 mg/L) the proposed clearing is not likely to cause appreciable land degradation, deteriorate the quality of surface or groundwater, or cause, or exacerbate flooding.

## Planning instruments and other relevant matters.

No Aboriginal sites of significance have been mapped within the application area; the closest lodged site is approximately 2.5 metres from the application area, the Ferguson River.

The clearing permit application was advertised on the DWER website on 1 November 2019 with a 14 day submission period. No public submissions were received.

## 5. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Department of Parks and Wildlife (DPaW) (2017) Western Ringtail Possum (*Pseudocheirus occidentalis*) Recovery Plan. Department of Parks and Wildlife, Government of Western Australia.
- Department of Water and Environment Regulation (DWER) (2020) Site Inspection Report for Clearing Permit Application CPS 8697/1. Site inspection undertaken 15 January 2020. Department of Water and Environment Regulation, Western Australia (DWER Ref: A1860227).
- Government of Western Australia (2018) 2017 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of December 2017. WA Department of Biodiversity, Conservation and Attractions.
- Harewood, G. (2019) Targeted Fauna Assessment, Proposed Clearing Project. Pile Road (SLK 0.00 and SLK 4.21). Unpublished report prepared for the Shire of Dardanup.
- 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.
- Schoknecht, N., Tille, P. and Purdie, B. (2004) Soil-landscape mapping in South-Western Australia – Overview of Methodology and outputs' Resource Management Technical Report No. 280. Department of Agriculture.

Publicly available GIS Databases used (data.wa.gov.au):

- Soil and Landscape Mapping – Best Available
- Directory of Important Wetlands in Australia – Western Australia (DBCA-045)
- Geomorphic Wetlands, Swan Coastal Plain (DBCA-019)
- IBRA Vegetation Statistics
- Carnaby's Cockatoo Areas requiring investigation as feeding habitat in the Swan Coastal Plain (SCP) IBRA Region (DBCA-057)
- Remnant Vegetation
- Groundwater Salinity Statewide (DWER-026)
- Contours (DPIRD-073)
- Soil and Landscape Quality – Wind Erosion Risk (DPIRD-016)
- Soil and Landscape Quality – Water Erosion Risk (DPIRD-013)
- Soil and Landscape Quality – Waterlogging Risk (DPIRD-015)
- Soil and Landscape Quality – Water Repellence Risk (DPIRD-014)
- Soil and Landscape Quality – Subsurface Acidification Risk (DPIRD-011)
- Soil and Landscape Quality – Phosphorus Export Risk (DPIRD-010)
- Soil and Landscape Quality – Salinity Risk (DPIRD-009)
- Flood Risk (DPIRD-007)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Regional Parks (DBCA-026)
- Aboriginal Heritage Places (DPLH-001)
- Local Planning Scheme – Zones and Reserves (DPLH-071)

Restricted GIS Databases used:

- Threatened Flora (TPFL)
- Threatened Flora (WAHerb)
- Threatened Fauna
- TECs and PECs
- Black Cockatoo roost sites
- SCP Vegetation Complex Statistics