

## **CLEARING PERMIT**

Granted under section 51E of the Environmental Protection Act 1986

#### PERMIT DETAILS

Area Permit Number: CPS 8929/2

File Number: DWERVT5854

Duration of Permit: From 21 August 2020 to 21 August 2024

### PERMIT HOLDER

Shire of Augusta Margaret River

## LAND ON WHICH CLEARING IS TO BE DONE

Warner Glen Road reserve (PIN: 11607686), Warner Glen

#### **AUTHORISED ACTIVITY**

The permit holder must not clear more than eight native trees within the area cross-hatched yellow in Figure 1 of Schedule 1.

### **CONDITIONS**

COLUBITION

## 1. Avoid, minimise, and reduce impacts and extent of clearing

In determining the *native vegetation* authorised to be cleared under this permit, the permit holder must apply the following principles, set out in descending order of preference:

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- (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.

CPS 8929/2, 27 June 2022

# 2. Weed and dieback management

When undertaking any clearing authorised under this permit, the permit holder must take the following measures to minimise the risk of introduction and spread of *weeds* and *dieback*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no known *dieback* or *weed*-affected soil, *mulch*, *fill*, or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

# 3. 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.

# 4. Records that must be kept

The permit holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Spec	cifications
1.	In relation to the authorised clearing	(a)	the species composition, structure, and density of the cleared area;
	activities generally	(b)	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;
		(c)	the date that the area was cleared;
		(d)	the size of the area cleared (in hectares);
		(e)	actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 1; and
		(f)	actions taken to minimise the risk of the introduction and spread of <i>weeds</i> and <i>dieback</i> in accordance with condition 2; and

# 5. Reporting

The permit holder must provide to the *CEO* the records required under condition 4 of this permit when requested by the *CEO*.

# **DEFINITIONS**

In this permit, the terms in Table 2 have the meanings defined.

**Table 2: Definitions** 

Term	Definition		
СЕО	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the <i>Environmental Protection Act 1986</i> .		
clearing	has the meaning given under section 3(1) of the EP Act.		
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.		
fill	means material used to increase the ground level, or to fill a depression.		
dieback	means the effect of <i>Phytophthora</i> species on native vegetation.		
department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.		
EP Act	Environmental Protection Act 1986 (WA)		
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.		
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.		
weeds	means any plant —  (a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i> ; 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.		

# **END OF CONDITIONS**

Mathew Gannaway

MANAGER

NATIVE VEGETATION REGULATION

Officer delegated under Section 20 of the Environmental Protection Act 1986

27 June 2022

# **SCHEDULE 1**

The boundary of the area authorised to be cleared is shown in the map below (Figure 1).

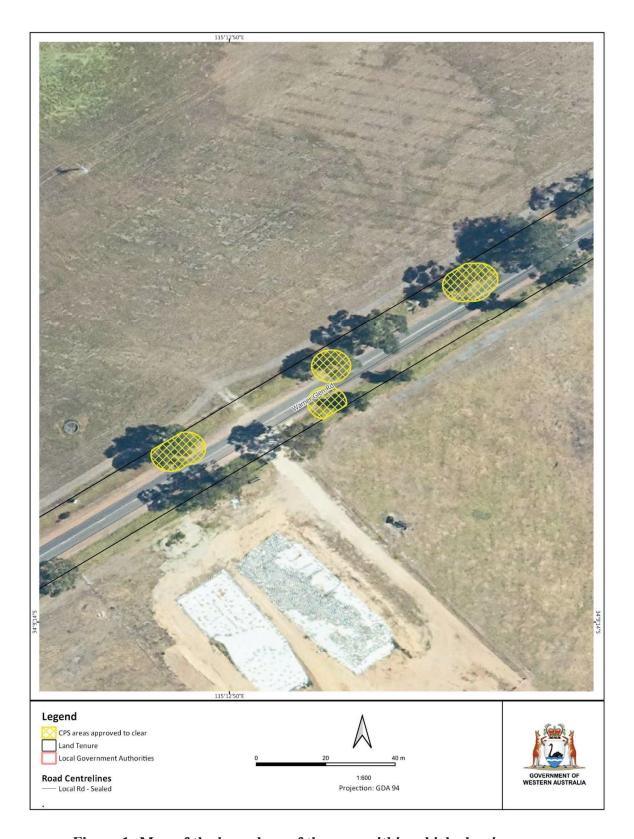


Figure 1: Map of the boundary of the area within which clearing may occur

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# **Clearing Permit Decision Report**

## Application details and outcome

## 1.1. Permit application details

Permit number: CPS 8929/2
Permit type: Area permit

Applicant name: Shire of Augusta Margaret River

Application received: 1 April 2022
Application area: 8 native trees
Purpose of clearing: Road upgrades
Method of clearing: Mechanical

**Property:** Warner Glen Road Reserve (PIN 11607686)

Location (LGA area/s): Shire of Augusta Margaret River

Localities (suburb/s): Warner Glen

## 1.2. Description of clearing activities

This application is to amend Clearing Permit CPS 8929/1, which was granted on 17 July 2020. This amendment is to extend the permit duration by two years and remove seven trees from the application area. The applicant has advised that no clearing has commenced under clearing permit CPS 8929/1.

The Shire of Augusta Margaret River is proposing to undertake road widening and reconstruction to improve the road surface, sight lines and overall safety for increasing volumes of general and heavy traffic along a section of Warner Glen Road. The road sealed width will be increased from between 5 to 6 metres (m) to 6.5m with a 1m unsealed edge or shoulder on each side of the road. The clearing of non-native and native vegetation is required to facilitate the proposed work.

### 1.3. Decision on application and key considerations

**Decision:** Granted

**Decision date:** 27 June 2022

**Decision area:** Eight (8) native trees, as outlined in Section 1.5, below

# 1.4. Reasons for decision

This clearing permit amendment application was submitted, accepted, assessed and determined in accordance with sections 51E and 51O of the *Environmental Protection Act 1986* (EP Act). The Department of Water and Environmental Regulation (DWER) advertised the application for 14 days and no submissions were received.

In making this decision, the Delegated Officer had regard for the site characteristics (see **Error! Reference source not found.**), relevant datasets (see Appendix **Error! Reference source not found.**), the findings of a site inspection and photographs provided by the applicant (see **Error! Reference source not found.**), the clearing principles set out in Schedule 5 of the EP Act (see **Error! Reference source not found.**), relevant planning instruments and any other matters considered relevant to the assessment (see Section 3).

The assessment has not changed since the assessment for CPS 8929/1. The Delegated Officer determined that the proposed reduction in clearing area and permit duration extension is not likely to lead to an unacceptable risk to environmental values. The Delegated Officer decided to amend the permit.

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# 1.5. Site map(s)



Figure 1. Map of the application area.

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## 2. Legislative context

The clearing of native vegetation in Western Australia is regulated under the EP Act and the *Environmental Protection* (Clearing of Native Vegetation) Regulations 2004 (Clearing Regulations).

In addition to the matters considered in accordance with section 51O of the EP Act (see Section 1.3), the Delegated Officer has also had regard to the objects and principles under section 4A of the EP Act, particularly:

- 1. The precautionary principle;
- 2. The principle of intergenerational equity;
- 3. The principle of the conservation of biological diversity and ecological integrity;

Other legislation of relevance for this assessment include:

- Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)
- Biodiversity Conservation Act 2016 (BC Act)

Relevant policies considered during the assessment were:

N/A

The key guidance documents which inform this assessment are:

- A guide to the assessment of applications to clear native vegetation (December 2013)
- Procedure: Native vegetation clearing permits (DWER, October 2019)

### 3. Detailed assessment of application

## 3.1. Avoidance and mitigation measures

Evidence was submitted by the applicant for clearing permit CPS 8929/1, demonstrating that all reasonable efforts had been taken to avoid and minimise potential impacts of the clearing on environmental values.

This application to amend clearing permit CPS 8929/1 proposes to remove seven trees from the application area where works have been completed and all trees proposed to be removed within the area were able to be retained. The Delegated Officer commends the applicants extra avoidance and minimisation measures for the road works.

## 3.2. Assessment of environmental impacts

This amendment is a result of an application to amend permit CPS 8929/1 to extend the permit duration by two years and remove seven trees from the application area.

A review of current environmental information including up to date flora, vegetation and fauna records reveals that the assessment against the clearing principles has not changed from the Clearing Permit Decision Report CPS 8929/1.

Based on the assessment, the proposed clearing will not result in any significant residual impacts.

#### 3.3. Relevant planning instruments and other matters

The assessment against planning instruments and other matters remains unchanged and can be found in the Decision Report prepared for Clearing Permit 8929/1.

# Appendix A – Site characteristics

The information provided below describes the key characteristics of the area proposed to be cleared and is based on the best information available to DWER at the time of this assessment. This information was used to inform the assessment of the clearing against the Clearing Principles, contained in Appendix B.

The below information relates to the application area approved for CPS 8929/1. This application to amend clearing permit CPS 8929/1 proposes to remove Site A as described below and therefore information relation to Site B was used to inform the assessment of the clearing against the Clearing Principles.

A desktop assessment was undertaken to review the most current datasets available including available information for flora, vegetation and fauna. No additional records were identified that would change the environmental values identified within the amended application area.

#### 1. Site characteristics

Site characteristic	Details
Local context	The proposed clearing area comprises of one patche (Site B) of roadside remnant native vegetation comprising eight individual native trees of two species: marri ( <i>Corymbia calophylla</i> ) and blackbutt ( <i>Eucalyptus patens</i> ) and other non-native eucalypt species (for example <i>Eucalyptus grandis</i> ). There is no understorey vegetation other than weeds and pasture grasses.
	The application area is located within the greater Warner Glen road reserve.
	Site B
	Site B proposes the clearing of eight individual trees within a total area of approximately 736m² along both sides of the road reserve. Site B is located between areas of plantation vegetation and cleared farmland.
	The Warner Glen road reserve is predominantly surrounded by cleared rural land with areas of remnant native vegetation, including the Blackwood River, and plantation vegetation. These areas of vegetation may provide the corridors that enable fauna movement in the area.
	It is considered unlikely that the eight trees, whilst they may be located adjacent to areas of remanent and other vegetation and due to the lack of connectivity, provide any ecological linkages to the surrounding areas of remnant vegetation or form a key link in fauna corridors in the area.
	Spatial data indicates the local area (10 km of the proposed clearing area) retains approximately 49.77% of the original native vegetation cover.
Vegetation description	A site inspection carried out by the applicant indicates the vegetation within the road reserve contains predominantly non-Western Australian overstory species ( <i>E. grandis</i> ) with scattered Western Australian native overstory species ( <i>E. patens, C. calophylla</i> ) (Shire of Augusta Margret River, n-d). The understory is dominated by weed species and shows little to no native vegetation (reference site photographs in Appendix E).
	Broadscale mapping of vegetation shows the area to be:
	<ul> <li>Vegetation association 3, which is described as Medium forest; jarrah-marri (Shepherd et al. 2001).</li> </ul>
	Vegetation complexes mapped by Mattiske and Havel (1998) within the application area comprise:
	Nillup (Nw) - Mixture of open woodland of Corymbia calophylla with some Eucalyptus patens and Eucalyptus megacarpa and tall shrubland of Agonis spp. with some emergent Eucalyptus marginata subsp. marginata, Corymbia calophylla and Banksia littoralis on broad depressions in the perhumid zone.

Site characteristic	Details		
	calophylla		rginata subsp. marginata-Corymbia occidentale-Agonis flexuosa on low
Vegetation condition	A site investigation carried out indicates that the vegetation within the road reserve is in completely degraded condition, has been subject to the total loss of native understory and weeds are prevalent throughout both clearing areas. Roadside overstory vegetation is comprised of a mixture of introduced species and non-local Eucalypts ( <i>E. grandis</i> ) along with scattered native species ( <i>E. patterns, C. calophylla</i> ).		
Site photos provided by the applicant support the classific degraded vegetation condition (Keighery, 1994)			classification of completely
	The full Keighery scale is provided in Appendix C, below. Site photographs are provided in Appendix D, below.		
Soil description	The clearing area is located soil within the larger Nillup Plain System, which is described as:		
<ul> <li>Poorly drained plain, in the southern Donnybrook Sunkland. Some non-saline wet soil, grey deep sandy duplex, loamy gravel and sands. Jarrah-marri-paperbark woodland (DPIRD, 2017).</li> </ul>			plex, loamy gravel and pale deep
	More specifically t subsystem:	he clearing area is mapped as b	eing within the following soil
	Site B: Nillup flats Phase, described as flats mainly with pale grey mottled (Mungite) soils.		
Land degradation risk  The Department of Primary Industries a a series of soil degradation risk mappin			b-system level (2017). The project
		ummarises the degradation risk	, ,
	Aspect	Degradation risk	
		Nillup flats Phase	
	Wind Erosion	10%	
	Waterlogging	59%	
	Water Erosion	0%	
	Salinity	0%	
	Flood Risk	0%	
	Phosphorous Export Risk	9%	
Waterbodies	The proposed clearing area is located in the Lower Blackwood River surface water area (SWA). The Blackwood River is located approximately 1.8 km to the west of the proposed clearing area.		
Conservation areas	The proposed clearing area is not located within or adjacent to any conservation areas. The nearest conservation area is the Blackwood River which forms part of the Donnybrook Sunklands. The Blackwood River is situated approximately 1.8 km west of the proposed clearing areas.		
Climate and landform	The nearest Bureau of Meteorology (BoM) weather station is located at Karridale (Station No 009560). The temperature ranges between a high mean maximum of 24.7 deg in February to a low of 8.1 deg in July. Rainfall ranges between a high of		

Site characteristic	Details
	227.9 mm in June to a low of 20.1 mm in January with an annual average rainfall of 1198.5 mm.
	The region is generally flat to gently undulating characterised by sand plains, wash (or flood) plains with local incised watercourses.

# 2. Flora, fauna and ecosystem analysis

With consideration for the site characteristics set out above, relevant datasets (see Appendix F), and site inspection information as provided by the proponent, the following conservation significant flora and fauna species may be impacted by the proposed clearing.

Species / Ecological Community	Distance of closest record to application area (kilometres)	Suitable soil type? (flora, ecological community)	Suitable vegetation type? (flora, ecological community)	Suitable habitat features (fauna)	Surveys adequate to identify? (Y, N, N/A)
Fauna					
Calyptorhynchus banksii naso (T) (VU)	6.1km	N/A	N/A	Yes	N/A – no survey conducted
Calyptorhynchus <i>baudinii</i> (T) (EN)	2.4km	N/A	N/A	Yes	N/A – no survey conducted
Calyptorhynchus latirostris (T) (EN)	0.9km	N/A	N/A	Yes	N/A – no survey conducted
Calyptorhynchus sp. 'white-tailed black cockatoo' (T) (EN)	2.2km	N/A	N/A	Yes	N/A – no survey conducted
Geocrinia alba (T) (CR)	2.7km	N/A	N/A	No	N/A – no survey conducted
Phascogale tapoatafa wambenger (CD)	1.3km	N/A	N/A	Yes	N/A – no survey conducted
Pseudocheirus occidentalis (T) (CR)	4.7km	N/A	N/A	Yes	N/A – no survey conducted
Flora					
Adenanthos detmoldii (P4)	6.5km	Yes	No	N/A	N/A – no survey conducted
Grevillea brachystylis subsp. australis (T) (VU)	6.2km	Yes	No	N/A	N/A – no survey conducted

# 3. Vegetation extent

Vegetation Complexes within the project area have been defined by Mattiske and Havel, 1998 and are based on vegetation in association with landforms and underlying geology. The current remaining extent of these vegetation complexes (Government of WA, 2019) is shown in the table below.

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).

These complexes are above the minimum threshold of 30% target for the retention of vegetation.

	Pre-European extent (ha)	Current extent (ha)	% remaining	Current extent in all DBCA managed land (ha)	% current extent in all DBCA managed land (proportion of pre-European extent)
IBRA bioregion					
Jarrah Forest	2,390,591.54	1,604,101.56	67.10	1,299,263.74	54.35
Vegetation comple	х				
208	6555.37	2477.83	37.80		
212	3217.87	1354.39	42.09		

Assessment:  The assessment of the clearing principles has not changed and can be found in clearing permit decision report CPS 8929/1.  Principle (b): "Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna."  Assessment:  The assessment of the clearing principles has not change and can be found in clearing permit decision report CPS 8929/1.  Principle (c): "Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."  Assessment:  The assessment of the clearing principles has not changed and can be found in clearing permit decision report CPS 8929/1.  Principle (d): "Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community."  Assessment:  The assessment of the clearing principles has not changed and can be found in clearing permit decision report CPS 8929/1.  Principle (d): "Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community."  Assessment:  The assessment of the clearing principles has not changed and can be found in clearing permit decision report CPS 8929/1.  Environmental values: significant remnant vegetation and conservation areas  Principle (e): "Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared."	likely to Year coance. Se of de CF	es. Further onsideration is quired. Referection 3.2.1. clearing ecision report PS 8929/1
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Assessment against the Clearing Principles	Variance levels	Is further consideration required?
Principle (f): "Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland."  Assessment:  No watercourses or wetlands are located within close proximity of the eight trees proposed to be cleared.	Not likely to be at variance.	No
Principle (g): "Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation."  Assessment:  The assessment of the clearing principles has not changed and can be found in clearing permit decision report CPS 8929/1.	Not likely to be at variance.	No.
Principle (i): "Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water."  Assessment:  The assessment of the clearing principles has not changed and can be found in clearing permit decision report CPS 8929/1.	Not likely to be at variance.	No.
Principle (j): "Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding."  Assessment:  The assessment of the clearing principles has not changed and can be found in clearing permit decision report CPS 8929/1.	Not likely to be at variance.	No.

# Appendix C – Vegetation condition rating scale

Vegetation condition is a rating given to a defined area of vegetation to categorise and rank disturbance related to human activities. The rating refers to the degree of change in the vegetation structure, density and species present in relation to undisturbed vegetation of the same type. The degree of disturbance impacts upon the vegetation's ability to regenerate. Disturbance at a site can be a cumulative effect from a number of interacting disturbance types.

Measuring Vegetation Condition for the South West and Interzone Botanical Province (Keighery, 1994)

Condition	Description
Pristine	Pristine or nearly so, no obvious signs of disturbance.
Excellent	Vegetation structure intact, with disturbance affecting individual species; weeds are non-aggressive species.
Very Good	Vegetation structure altered, with obvious signs of disturbance. For example, disturbance to vegetation structure caused by repeated fires, the presence of some more aggressive weeds, dieback, logging and/or grazing.
Good	Vegetation structure significantly altered by very obvious signs of multiple disturbances. Retains basic vegetation structure or ability to regenerate it. For example, disturbance to vegetation structure caused by very frequent fires, the presence of some very aggressive weeds at high density, partial clearing, dieback and/or grazing.
Degraded	Basic vegetation structure severely impacted by disturbance. Scope for regeneration but not to a state approaching good condition without intensive management. For example, disturbance to vegetation structure caused by very frequent fires, the presence of very aggressive weeds, partial clearing, dieback and/or grazing.
Completely Degraded	The structure of the 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.

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# Appendix D – Photographs of the vegetation

Photographs are provided below of the two clearing areas for information purposes (Shire of Augusta Margaret River, 2020).





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Site A Site B (general view)

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#### Appendix E – References

#### 1. GIS datasets

Publicly available GIS Databases used (sourced from <a href="www.data.wa.gov.au">www.data.wa.gov.au</a>):

- Aboriginal Heritage Places (DPLH-001)
- Cadastre Address (LGATE-002)
- Contours (DPIRD-073)
- DBCA Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Directory of Important Wetlands in Australia Western Australia (DBCA-045)
- Environmentally Sensitive Areas (DWER-046)
- Flood Risk (DPIRD-007)
- Groundwater Salinity Statewide (DWER-026)
- IBRA Vegetation Statistics
- Local Planning Scheme Zones and Reserves (DPLH-071)
- Regional Parks (DBCA-026)
- Soil and Landscape Mapping Best Available

#### Restricted GIS Databases used:

- ICMS (Incident Complaints Management System)

   Points and Polygons
- Threatened Flora (TPFL)
- Threatened Flora (WAHerb)
- Threatened Fauna
- Threatened Ecological Communities and Priority Ecological Communities
- Threatened Ecological Communities and Priority Ecological Communities (Buffers)

#### 2. Other references

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- DoE (2008) Approved Conservation Advice for *Grevillea brachystylis* subsp. *australis*, Department of Environment, Canberra.
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- Shire of Augusta Margaret River (2020) Desktop Assessment and site inspection, Warner Glen Road upgrade. Western Australia (DWER Ref: A1900660)
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