



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 9230/1
Permit Holder:	Mr Harold Pearce
Duration of Permit:	From 23 May 2021 to 23 May 2026

The permit holder is authorised to clear native vegetation subject to the following conditions of this permit.

PART I – CLEARING AUTHORISED

1. Clearing authorised (purpose)

The permit holder is authorised to clear native vegetation for the purpose of allowing for a Western Power connection.

2. Land on which clearing is to be done

Willyung Road reserve (PIN 11480678), Willyung

3. Clearing authorised

The permit holder must not clear more than 0.005 hectares of native vegetation within the area cross-hatched yellow in Figure 1 of Schedule 1.

PART II – MANAGEMENT CONDITIONS

4. 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:

- (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.

5. 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.

PART III - RECORD KEEPING AND REPORTING

6. 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	Specifications
1.	In relation to the authorised clearing activities generally	<ol style="list-style-type: none">(a) the species composition, structure, and density of the cleared area;(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 4; and(f) actions taken to minimise the risk of the introduction and spread of weeds and dieback in accordance with condition 5.

7. Reporting

The permit holder must provide to the *CEO* the records required under condition 6 of this permit when requested by the *CEO*.

DEFINITIONS

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

Table 2: Definitions

Term	Definition
CEO	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.
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	<i>Environmental Protection Act 1986</i> (WA)
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



Meenu Vitarana
A/MANAGER
NATIVE VEGETATION REGULATION

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

29 April 2021

Schedule 1



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



Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 9230/1
Permit type:	Purpose permit
Applicant name:	Mr Harold Pearce
Application received:	5 March 2021
Application area:	0.005 hectares of native vegetation
Purpose of clearing:	Western Power connection
Method of clearing:	Tree lopping and chipping
Property:	Willyung Road reserve (PIN 11480678)
Location (LGA area/s):	City of Albany
Localities (suburb/s):	Willyung

1.2. Description of clearing activities

The vegetation proposed to be cleared is contained within a single contiguous area along the northern verge of Willyung Road (see Figure 1, Section 1.5). The proposed clearing is to allow for a Western Power connection to service Lot 301.

1.3. Decision on application

Decision:	Granted
Decision date:	29 April 2021
Decision area:	0.005 hectares of native vegetation including 2 trees

1.4. Reasons for decision

This clearing permit 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 Appendix A), relevant datasets (see Appendix E) the clearing principles set out in Schedule 5 of the EP Act (see Appendix B), relevant planning instruments and any other matters considered relevant to the assessment (see Section 3). After consideration of the available information, the Delegated Officer determined the proposed clearing is unlikely to have significant adverse impacts on environmental values. The Delegated Officer decided to grant a clearing permit subject to conditions to:

- avoid and minimise the impacts and extent of clearing; and
- take hygiene steps to minimise the risk of the introduction and spread of weeds.

1.5. Site map



Figure 1 - Map of the application area. The area crosshatched yellow indicates the area authorised to be cleared under the granted clearing permit.

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 1.4), the Delegated Officer has also had regard to the objects and principles under section 4A of the EP Act, particularly:

- the precautionary principle
- the principle of intergenerational equity
- the principle of the conservation of biological diversity and ecological integrity.

The key guidance documents which inform this assessment are:

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

3 Detailed assessment of application

3.1. Avoidance and mitigation measures

Given the extent of the application area and the purpose of the clearing, there is limited opportunity to further avoid and minimise potential impacts of the proposed clearing on environmental values. The Delegated Officer is satisfied that the applicant has considered the minimal footprint required for the proposed activity.

3.2. Assessment of impacts on environmental values

In assessing the application, the Delegated Officer has had regard for the site characteristics (see Appendix A) and the extent to which the impacts of the proposed clearing present a risk to biological, conservation, or land and water resource values.

The assessment against the clearing principles (see Appendix B) identified the impacts of the proposed clearing are limited and able to be managed to be environmentally acceptable with standard avoidance and mitigation and weed and dieback management conditions.

3.3. Relevant planning instruments and other matters

The City of Albany advised DWER that the authority provided by the Shire to the applicant to access and clear the proposed clearing area was still valid, and that the City had no further comments regarding the clearing (City of Albany, 2021).

Several Aboriginal Sites of Significance have been mapped within the local area. It is the permit holder's responsibility to comply with the *Aboriginal Heritage Act 1972* (WA) and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

End

Appendix A - Site characteristics

A.1. Site characteristics

Characteristic	Details
Local context	<p>The area proposed to be cleared is a 0.005 hectare isolated patch of native vegetation in the intensive land use zone of Western Australia. The proposed clearing area is located within a vegetated road reserve, with Willyung Road to the southwest and cleared agricultural to the northeast.</p> <p>The application area is mapped within Strategic Zone C of the <i>Western Australian South Coast Macro Corridor Network</i>, described as “contains areas of woody vegetation where polygons greater than 30 ha in size are spaced greater than 1 km from the woody vegetation within strategic Zones A and B. The vegetation within Zone C potentially provides habitat for wildlife at the local scale, but requires closer assessment to determine its value for a regional scale” (Wilkins et al 2006). The application area is part of a local ecological corridor associated with roadside vegetation on Willyung Road.</p> <p>Spatial data indicates the local area (20-kilometre radius from the centre of the area proposed to be cleared) retains approximately 38.7 per cent of the original native vegetation cover.</p>
Conservation areas	There are no conservation areas in the application area. The nearest conservation area is Bakers Junction Nature Reserve located 5.4km to the north-east.
Vegetation description	<p>Photographs and information supplied by the applicant (Kinnear, 2021) indicate the vegetation within the proposed clearing area consists of two trees, one Bald Island Marlock (<i>Eucalyptus conferruminata</i>) and one blue gum (<i>Eucalyptus</i> species native to the eastern states of Australia) and an understorey of weeds (Figure D-1, Appendix D).</p> <p>This is inconsistent with the Beard mapped vegetation type 978, which is described as Low Forest; jarrah, <i>Eucalyptus staeri</i> & <i>Allocasuarina fraseriana</i> (Shepherd et al, 2001).</p> <p>The mapped vegetation type retain approximately 35 per cent of the original extent (Government of Western Australia, 2019).</p>
Vegetation condition	<p>Photographs supplied by the applicant indicate the vegetation within the proposed clearing area is in Completely Degraded (Keighery, 1994) condition, described as:</p> <ul style="list-style-type: none"> 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 (see Figure D-1, Appendix D). <p>The full Keighery (1994) condition rating scale is provided in 0.</p>
Soil description	The soil is mapped as Major Valleys 7h Phase (242KgV7h), described as broad valleys in sedimentary rocks; 30 m relief; smooth slopes. Deep sands and iron podzols on slopes; Albany Blackbutt-Jarrah-Sheoak woodland. Podzols and yellow duplex soils on floors; Paperbark woodland, Teatree heath (DPIRD, 2019).
Land degradation risk	<ul style="list-style-type: none"> Water erosion - 3-10% of map unit has high to extreme water erosion risk Wind erosion - 50-70% of map unit has a high to extreme wind erosion risk Salinity - < 3 % if map unit has a moderate to high salinity risk or is presently saline Phosphorus export - 10-30% of map unit has a high to extreme phosphorus export risk Flood risk - 3-10% of the map unit has a moderate to high flood risk Waterlogging risk - 3-10% of map unit has a moderate to very high waterlogging risk Subsurface acidification risk - >70% of map unit has a high subsurface acidification risk or is presently acid (Schoknecht et al, 2001)

Characteristic	Details
Waterbodies	The application area is mapped within the Manypeaks consanguineous wetland suite. Johnston Creek, a conservation class wetland, is the closest mapped wetland 5.3 km northeast of the application area. A minor non-perennial watercourse within the King River catchment is 500m east of the proposed clearing area.
Climate	Rainfall: 900 mm Evapotranspiration: 800 mm
Topography	Approximately 30-35 m AHD
Hydrogeography	Hydrogeology: rocks of low permeability, fractured and weathered rocks - local aquifers (gneiss, migmatite lithology) Groundwater salinity: 500-1000 mg/L
Flora	There are records of 13 threatened and 62 priority flora species in the local area, the closest of which to the application area is <i>Banksia brownii</i> located approximately 1 km south.
Ecological communities	There are records of seven priority ecological communities in the local area, the closest of which to the application area is the Priority 1 <i>Banksia coccinea</i> Shrubland/ <i>Eucalyptus staeri</i> / <i>Sheoak</i> Open Woodland community mapped approximately 4.3 km southeast.
Fauna	There are records of 50 threatened, 13 priority, two conservation dependent, 26 migratory and two other specially protected fauna species in the local area, the closest of which to the application area is the Threatened <i>Pseudocheirus occidentalis</i> (western ringtail possum) located approximately 400 m south-west.

A.2. Vegetation extent

	Pre-European extent (ha)	Current extent (ha)	Extent remaining (%)	Current extent in all DBCA managed land (ha)	Current proportion (%) of pre-European extent in all DBCA managed land
IBRA bioregion*					
Jarrah Forest	4,506,660.25	2,399,838.15	53.25	1,673,614.25	37.14
Vegetation complex					
Beard vegetation association 978 *	53,126.37	18,853.76	35.49	5,043.21	9.49
Local area					
20km radius	1,058,828,929	410,279,216.5	38.7	-	-

*Government of Western Australia (2019a)

**Government of Western Australia (2019b)

A.3. Fauna analysis table

Species name	Conservation status	Suitable habitat features? [Y/N]	Suitable vegetation type? [Y/N]	Distance of closest record to application area (km)	Number of known records (total)	Are surveys adequate to identify? [Y, N, N/A]
<i>Calyptorhynchus banksii</i> naso (forest red-tailed black cockatoo)	VU	Y	Y	3.2	66	NA
<i>Calyptorhynchus baudinii</i> (Baudin's cockatoo)	EN	Y	Y	1.2	349*	NA
<i>Calyptorhynchus latirostris</i> (Carnaby's cockatoo)	EN	Y	Y	0.9	563*	NA

* An additional 243 records of *Calyptorhynchus* sp. 'white-tailed black cockatoo' (White-tailed black cockatoo) were recorded within the local area, which may comprise either of these two species

Appendix B - Assessment against the clearing principles

Assessment against the clearing principles	Variance level	Is further consideration required?
Environmental value: biological values		
<p><u>Principle (a):</u> "Native vegetation should not be cleared if it comprises a high level of biodiversity."</p> <p><u>Assessment:</u> The area proposed to be cleared does not contain conservation significant flora, fauna, habitats or assemblages of plants.</p>	Not likely to be at variance	No
<p><u>Principle (b):</u> "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."</p> <p><u>Assessment:</u> The Bald Island Marlock tree within the application area may provide a roost site and foraging habitat for black cockatoo species, although would not provide breeding habitat. Given that this is not a preferred foraging or roosting tree species and only one native tree will be removed, the proposed clearing will not have a significant impact on black cockatoo species. The vegetation does not provide significant suitable habitat for other conservation significant fauna species.</p>	Not likely to be at variance	No
<p><u>Principle (c):</u> "Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."</p> <p><u>Assessment:</u> The area proposed to be cleared is unlikely to contain flora species listed under the BC Act.</p>	Not likely to be at variance	No
<p><u>Principle (d):</u> "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."</p> <p><u>Assessment:</u> The area proposed to be cleared does not contain species indicative of a threatened ecological community listed under the BC Act.</p>	Not likely to be at variance	No
Environmental value: significant remnant vegetation and conservation areas		
<p><u>Principle (e):</u> "Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared."</p> <p><u>Assessment:</u> The extent of native vegetation in the local area is consistent with the national objectives and targets for biodiversity conservation in Australia. The application area is part of a local ecological corridor associated</p>	Not likely to be at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
with roadside vegetation on Willyung Road, but given the extent of clearing is not considered to be essential to this corridor.		
<p><u>Principle (h):</u> <i>“Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.”</i></p> <p><u>Assessment:</u> Given the distance to the nearest conservation area, the proposed clearing is not likely to have an impact on the environmental values of nearby conservation areas.</p>	Not likely to be at variance	No
Environmental value: land and water resources		
<p><u>Principle (f):</u> <i>“Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.”</i></p> <p><u>Assessment:</u> No watercourses or wetlands are mapped within the application area and the vegetation to be cleared is not riparian.</p>	Not likely to be at variance	No
<p><u>Principle (g):</u> <i>“Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.”</i></p> <p><u>Assessment:</u> The mapped soils are highly susceptible to wind erosion and subsurface acidification, however noting the extent of the application area and the condition of the vegetation, the proposed clearing is not likely to have an appreciable impact on land degradation.</p>	Not likely to be at variance	No
<p><u>Principle (i):</u> <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.”</i></p> <p><u>Assessment:</u> Given the distance to the closest surface waterbody and the extent of the clearing, the proposed clearing is unlikely to affect surface or ground water quality.</p>	Not likely to be at variance	No
<p><u>Principle (j):</u> <i>“Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.”</i></p> <p><u>Assessment:</u> The mapped soils and topographic contours in the surrounding area do not indicate the proposed clearing is likely to contribute to increased incidence or intensity of flooding.</p> <p>Given no water courses are recorded within the application area, the proposed clearing is unlikely to contribute to waterlogging.</p>	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.

Considering its location, the scale below was used to measure the condition of the vegetation proposed to be cleared. This scale has been extracted from Keighery (1994).

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.

Condition	Description
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.

Appendix D - Photographs of the vegetation



Figure D-1 – Blue gum tree in western application area (left) and Bald Island Marlock tree in eastern application area (right) (Kinnear, 2021).

Appendix E - Sources of information

E.1. GIS databases

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

- 10 Metre Contours (DPIRD-073)
- Aboriginal Heritage Places (DPLH-001)
- Aboriginal Heritage Places (DPLH-001)
- Cadastre (LGATE-218)
- Cadastre Address (LGATE-002)
- Contours (DPIRD-073)
- Consanguineous Wetlands Suites (DBCA-020)
- 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)
- Hydrography – Inland Waters – Waterlines
- Hydrological Zones of Western Australia (DPIRD-069)
- IBRA Vegetation Statistics
- Imagery
- Local Planning Scheme – Zones and Reserves (DPLH-071)
- Native Title (ILUA) (LGATE-067)
- Offsets Register – Offsets (DWER-078)
- Pre-European Vegetation Statistics
- Public Drinking Water Source Areas (DWER-033)
- Ramsar Sites (DBCA-010)
- Regional Parks (DBCA-026)
- Remnant Vegetation, All Areas
- RIWI Act, Groundwater Areas (DWER-034)
- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)
- Soil Landscape Land Quality – Flood Risk (DPIRD-007)
- Soil Landscape Land Quality – Phosphorus Export Risk (DPIRD-010)
- Soil Landscape Land Quality – Subsurface Acidification Risk (DPIRD-011)
- Soil Landscape Land Quality – Water Erosion Risk (DPIRD-013)
- Soil Landscape Land Quality – Water Repellence Risk (DPIRD-014)
- Soil Landscape Land Quality – Waterlogging Risk (DPIRD-015)
- Soil Landscape Land Quality – Wind Erosion Risk (DPIRD-016)
- Soil Landscape Mapping – Best Available
- Soil Landscape Mapping – Systems

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)

E.2. References

City of Albany (2021). *Advice for clearing permit application CPS 9230/1*, received 14 April 2021 (DWER Ref: A1996749).

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