



1. Application details

1.1. Permit application details

Permit application No.: 1286/1
 Permit type: Area Permit

1.2. Proponent details

Proponent's name: Omaha Nominees Pty Ltd

1.3. Property details

Property: LOT 3617 ON PLAN 251472 (MYALUP 6220)
 Local Government Area: Shire Of Harvey
 Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
	32	Mechanical Removal	Extractive Industry

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Beard: Unit 998 - Medium woodland; tuart.	The vegetation consists of 32 paddock trees with pasture species dominating the understorey.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	Vegetation condition established through aerial photography and discussion with the applicant's consultant (10/08/2006).
Hedde: Yoongarillup Complex - Tuart woodland with large numbers of peppermint (Agonis flexuosa).		Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments **Proposal is not likely to be at variance to this Principle**
 The area proposed to be cleared is Completely Degraded (Keighery 1994) consisting of 32 native trees with an understorey dominated by exotic pasture species. The dominant tree species is Eucalyptus gomphocephala (tuart).

 The Shire of Harvey has raised concerns over the clearing proposal as it is in conflict with the State Tuart Strategy. To mitigate the loss of these tuarts, the proponent will be required to revegetate an area of 6ha, once extraction is completed, to its pre-clearing extent.

 Given the degraded condition of the vegetation and the subsequent lack of species diversity, the vegetation proposed for clearing is not considered to comprise a high level of biological diversity and is therefore not likely to be at variance to this principle.

Methodology Shire of Harvey Submission (2006) TRIM ref DOC2741
 Keighery (1994)
 GIS databases:
 - Bunbury 1m Orthomosaic - DLI 03

(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 indigenous to Western Australia.

Comments **Proposal is not likely to be at variance to this Principle**
 The vegetation proposed to be cleared consists of 32 paddock trees, and the area has been rated to be in

Completely Degraded condition (Keighery 1994). The structure of the vegetation is no longer intact and the area is almost completely without native species. The tuarts exist over a pasture dominated understorey.

The vegetation may be providing habitat to some bird species, however the current extractive industry and farming activities occurring adjacent the area under application decreases its habitat value.

The Yalgorup National Park is located 1km west of the area proposed to be cleared and is likely to be preferred habitat for indigenous fauna.

The applicant will be required to revegetate an area of 6ha once extraction is completed, to its pre-clearing extent. This revegetation should provide a better habitat area for fauna within the local area in the future. The proponent will also be required to fence this area from stock access.

The vegetation under application is therefore not likely to provide significant habitat value for native fauna within the local area.

Methodology Keighery (1994)
GIS database:
- CALM Managed Lands and Waters - CALM 1/06/04
- Bunbury 1m Orthomosaic - DLI 03

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.

Comments **Proposal is not likely to be at variance to this Principle**
Records indicate there are two Declared Rare Flora (DRF) populations and six Priority Flora populations within the local area (10km radius) of the proposed clearing. The closest recorded population of DRF species is *Diuris purdiei*, which is found 7.1km north east of the proposed clearing.

The area under application is Completely Degraded (Keighery 1994) with no native understorey or midstorey. The area appears to have been grazed over a long period of time, significantly reducing the chances of these rare flora species being present.

Given the above information, it is concluded the clearing proposal is not likely to be at variance to this principle.

Methodology GIS databases:
- Declared Rare and Priority Flora List - CALM 13/08/03
- Bunbury 1m Orthomosaic - DLI 03

(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.

Comments **Proposal is not likely to be at variance to this Principle**
There are no records of Threatened Ecological Communities or Threatened Plant Communities found within the local area (10km radius) of the proposed clearing. Therefore it is unlikely the proposed clearing is considered necessary for the maintenance of a Threatened Ecological Community.

Methodology GIS databases:
- Threatened Ecological Communities - CALM 15/7/03
- Threatened Plant Communities - DEP 06/95

(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.

Comments **Proposal is not at variance to this Principle**
The area proposed to be cleared is Completely Degraded (Keighery 1994) consisting of paddock trees with no native under storey species. Paddock trees are not considered remnants, as they do not have a distinct assemblage of flora. The local area (10km radius) is approximately 45% vegetated and there is 45% of the vegetation type Heddle Yoongarillup (Heddle et al. 1980) remaining.

The proponent has agreed to revegetate an area of 6ha once extraction works are completed. The area will be revegetated with representative species of its pre-clearing vegetation type (tuart woodland), and this will be fenced from stock access.

Given the condition of vegetation under application has been rated to be Completely Degraded, the percentage of vegetation remaining and the proposed conditional revegetation, the area proposed to be cleared is not considered to be a significant remnant within an extensively cleared area.

Methodology Heddle et al. (1980)
GIS databases:

- Mattiske Vegetation - CALM 24/3/98
- Heddle Vegetation Complexes - DEP 21/06/95
- Interim Biogeographic Regionalisation of Australia - EM 18/10/00
- Local Government Authorities - DLI 8/07/04
- Pre European Vegetation - DA 01/01
- Bunbury 1m Orthomosaic - DLI 03

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Comments Proposal is not likely to be at variance to this Principle

There are several watercourses, EPP areas, EPP lakes, RAMSAR and ANCA wetlands within the local area (10km radius) of the proposed clearing. The closest is the Yalgorup Lakes System (a RAMSAR/ANCA wetland) located 1km west of the proposed clearing.

The proposed clearing will not impact on the identified EPP area as the proposed landuse is extractive industry and therefore will not contribute to nutrient loading within the coastal plain.

Given the distance of the identified lake and the Completely Degraded condition (Keighery 1994) of the vegetation proposed for clearing, the application is not likely to adversely impact on local watercourses and wetlands.

Methodology Keighery (1994)

GIS databases:

- ANCA, Wetlands - CALM 08/01
- EPP Areas - DEP 06/95
- EPP Lakes - DEP 28/07/03
- Geomorphic Wetlands (Mgt Categories) Swan Coastal Plain - DoE 15/9/04
- Hydrography Linear - DoE 1/2/04
- RAMSAR, Wetlands - CALM 21/10/02
- Bunbury 1m Orthomosaic - DLI 03

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Comments Proposal is not likely to be at variance to this Principle

The property under application is predominantly cleared and developed to pasture or cleared for limestone extraction, with only small, scattered stands of trees remaining. Given the small scale and fragmented state of the vegetation under application, appreciable land degradation issues are unlikely to occur as a result of the proposed clearing.

Methodology GIS databases:

- Bunbury 1m Orthomosaic - DLI 03
- Topographic Contours, Statewide - DOLA 12/09/02

(h) 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.

Comments Proposal is not likely to be at variance to this Principle

There are two conservation areas located within the local area of the proposed clearing, with the closest being located 1km west of the area under application. The vegetation proposed for clearing is Completely Degraded (Keighery 1994) and does not provide any vegetated links to local conservation areas.

The area proposed to be cleared therefore is not likely to impact on the environmental values of nearby conservation areas.

Methodology GIS database:

- CALM Managed Lands and Waters - CALM 1/06/04
- Register of National Estate - EA 28/01/03
- Bunbury 1m Orthomosaic - DLI 03

(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.

Comments Proposal is not likely to be at variance to this Principle

The area proposed to be cleared is within the Harvey River Hydrographic Catchment Area.

The property has been mapped with a low salinity risk.

Given the small scale of the area under application, and the degraded condition of the vegetation, degradation of local water quality is not likely to occur as a result of the proposed clearing.

Methodology GIS databases:
 - Hydrographic Catchments, Catchments - DoE 3/4/03
 - Salinity Risk LM 25m - DOLA 00

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.

Comments **Proposal is not likely to be at variance to this Principle**
 The proposed clearing is unlikely to exacerbate the incidence or intensity flooding given the scale of the area under application.

The clearing of the proposed vegetation therefore is not likely to impact on peak flood height or duration.

Methodology GIS databases:
 - Topographic Contours, Statewide - DOLA 12/09/02

Planning Instrument, Native Title, Previous EPA decision or other matter.

Comments
 The area under application lies within the gazetted Peel-Harvey coastal plain catchment (Peel Inlet-Harvey Estuary Environmental Protection Policy 1992). The environmental quality objectives of the Environmental Protection (Peel Inlet Harvey Estuary) Policy 1992 are to reduce the median load (mass) of total phosphorus flowing into the Estuary from the Harvey River and drains. Achievement of these objectives is to be addressed through implementation of planing policies through local authorities and appropriate land management by landholder and management authorities. Under section 51P, the CEO must refuse to grant a clearing permit if the CEO considers that the associated effect on the environment would be inconsistent with any approved policy. Given that the clearing is for up to 32 trees for extractive industry, and the area will be revegetated following completion of the mining, it is not expected that the nutrient load to the Estuary would be affected.

The area under application is zoned general farming under the Town Planning Scheme Zones.

The proponent has obtained both planning approval and an Extractive Industry Licence for the proposal from the Shire of Harvey.

The Shire of Harvey made submission to DEC requesting the applicant be required to revegetate the proposed area with tuarts and to reinstate the understorey once extraction works are completed. The Shire of Harvey also requests that the applicant control the weeds within the area. These issues have been addressed through imposed conditions of the clearing permit.

Conditions have been imposed to mitigate the further loss of vegetation through the revegetation of 6ha, once extraction is completed, to pre-clearing extent and weed management.

Methodology Shire of Harvey advice (2006) TRIM ref DOC2741
 GIS database:
 - Town Planning Scheme Zones - MFP 8/98

4. Assessor's recommendations

Purpose	Method Applied	Decision	Comment / recommendation
Extractive Industry	Mechanical Removal area (ha)/ trees	32 Grant	Assessable criteria have been addressed which found none of the principles to be at variance to the clearing proposal. No objections were received regarding the proposal. It is recommended the clearing proposal be granted, with a condition requiring the revegetation of 6ha including weed management and fencing of the revegetated area.

5. References

Department of Natural Resources and Environment (2002) Biodiversity Action Planning. Action planning for native biodiversity at multiple scales; catchment bioregional, landscape, local. Department of Natural Resources and Environment, Victoria.

Hedde, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, Western Australia.

Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.

6. Glossary

Term	Meaning
CALM	Department of Conservation and Land Management
DAWA	Department of Agriculture
DEP	Department of Environmental Protection (now DoE)
DoE	Department of Environment
DoIR	Department of Industry and Resources
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DoE)

