



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 2721 / 2

File Number: DEC9136

Duration of Permit: From 4 January 2009 to 4 January 2011

PERMIT HOLDER

Michael Clifton Scott

LAND ON WHICH CLEARING IS TO BE DONE

LOT 4 ON PLAN 230919 (WONNERUP 6280)

AUTHORISED ACTIVITY

Clearing authorised

The Permit Holder may clear up to 1.36 hectares of native vegetation, within the areas hatched yellow on attached Plan 2721/2.

Clearing not authorised

The Permit Holder shall not clear *Eucalyptus gomphocephala* (Tuart).

CONDITIONS

1. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the area(s) shall be inspected by a *fauna specialist* who shall identify *habitat tree(s)* suitable to be utilised by Western Ringtail Possums (*Pseudocheirus occidentalis*).
- (b) Prior to clearing, any *habitat tree(s)* identified by condition 1(a) shall be inspected by a *fauna specialist* for the presence of Western Ringtail Possums (*Pseudocheirus occidentalis*).
- (c) Prior to clearing, the Permit Holder shall ensure that any fauna identified by condition 1(b) shall be removed and relocated by a *fauna clearing person*, in accordance with a licence issued by the Department.

2. Records to be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit in relation to fauna management pursuant to condition 1 of this Permit:

- (a) the location of each *habitat tree* identified recorded using Geocentric Datum Australia 1994;
- (b) the location of each *habitat tree*, recorded using Geocentric Datum Australia 1994;
- (c) the species of fauna reasonably likely to utilise, or that have been observed utilising, the *habitat tree(s)*; and
- (d) the location and date where relocated fauna was released, using Geocentric Datum Australia 1994.

3. Reporting

- (a) The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of records required under condition 2 of this Permit and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 4 October 2010, the Permit Holder must provide to the CEO a written report of records required under condition 2 of this Permit where these records have not already been provided under condition 3(a) of this Permit.

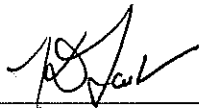
Definitions

The following meanings are given to terms used in this Permit:

fauna clearing person means a person who has obtained a licence from the *Department*, issued pursuant to the *Wildlife Conservation Regulations 1970* authorising them to take fauna;

fauna specialist means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna; and

habitat tree(s) means, for the purpose of this permit, one or more *Agonis flexuosa* tree/s being greater than 2m in height.

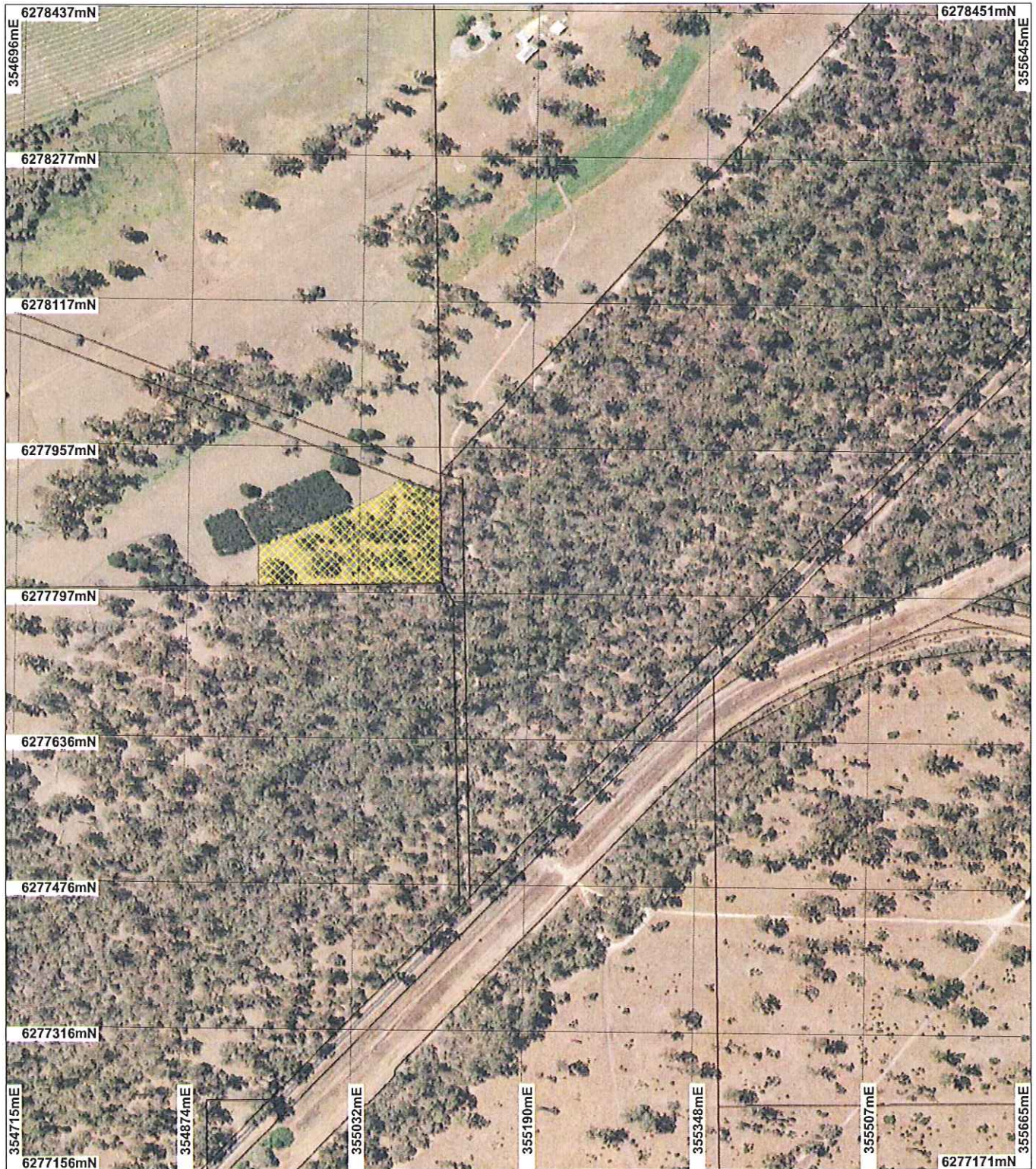


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

10 September 2009

Plan 2721/2



LEGEND

- Clearing Instruments
- Areas Approved to Clear
 - Cadastre



0 150 m

Scale 1:5627

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

K Faulkner

Date 10/9/07

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



Department of Environment and Conservation

WA Crown Copyright 2002



1. Application details

1.1. Permit application details

Permit application No.: 2721/2
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Michael Clifton Scott

1.3. Property details

Property: LOT 4 ON PLAN 230919 (WONNERUP 6280)
Local Government Area: Shire Of Busselton
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1.36		Mechanical Removal	Grazing & Pasture

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 Vegetation Association: Tall woodland; tuart (Eucalyptus gomphocephala).	The application is for the clearing of 1.36ha of native vegetation in degraded vegetation for grazing and pasture.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The vegetation condition was determined from aerial mapping Busselton 50cm Orthomosaic (Landgate 2004) and site visit conducted 10 November 2008 TRIM ref DOC 69034.
Mattiske Vegetation Complex Ludlow: Open woodland of Melaleuca rhapiphylla and sedgeland of Cyperaceae-Restionaceae spp. on broad depressions in the subhumid zone.			

3. Assessment of application against clearing principles

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

Comments	<p>Proposal is not likely to be at variance to this Principle</p> <p>The amendment is the result of the Minister's decision on the appeals lodged against the grant of clearing permit CPS 2721/1. The determination affects condition 1 of CPS 2721/1, Fauna Management.</p> <p>The application is for the clearing of 1.36ha of native vegetation for the purpose of grazing and to control <i>Zantedeschia aethiopica</i> (Aurum Lily). The vegetation lies within a highly cleared landscape, however the vegetation is in degraded condition and the proponent has agreed that no clearing of <i>Eucalyptus gomphocephala</i> (Tuart) will occur.</p> <p>The application area is not likely to contain priority flora species as the understorey is degraded with weed intrusion and the impacts of grazing. The area however is likely to be utilised by rare and priority fauna. Given the degraded nature of the application area it is not considered to comprise a high level of biological diversity and is therefore not likely to be at variance to this principle.</p>
Methodology	<p>DEC site visit (2008) EPA (2000) Mattiske Consulting (1998)</p> <p>GIS database: - Mattiske Vegetation (01/03/1998) - SAC Biodatasets - accessed 30 Oct 08</p>

(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 may be at variance to this Principle

Six rare and 4 priority fauna species have been recorded in the local (10km radius) area. A site visit found scats likely to be from *Pseudocheirus occidentalis* (Western Ringtail Possum - vulnerable). Other arboreal species are likely to be utilising the area including *Calyptorhynchus latirostris* (Carnaby's Black Cockatoo - endangered) and *Phascogale tapoatafa* ssp. (Brushtailed Phascogale - vulnerable). One third of the remaining western ringtail possum individuals live in the Ludlow/Wonnerup area (Australian Heritage Database, ND).

Although the application area lies adjacent to Tuart Forest National Park, which contains vegetation of better condition and thus would be considered more significant habitat, the vegetation representation in the area is very low with approximately 12% native vegetation in the local (10km radius) area. Additionally, the Mattiske Vegetation Complex Ludlow is considered by the EPA (2000) to be endangered, with only 2.2% of the pre-European extent remaining, however the site visit report suggests that this is not a significant representation of this complex as only 2 species are present.

The Tuart Forest National Park acts as an ecological linkage and wildlife corridor and the site of the application is at the already thinnest section of this corridor. The clearing as proposed will put further pressure on fauna in this area and may be at variance to this principle. However, the applicant has agreed to no clearing of *Eucalyptus gomphocephala* (Tuart), and this will be made a condition of the permit. Additionally, fauna management conditions will be imposed.

Methodology Australian Heritage Database (ND)
DEC site visit (2008)
EPA (2000)
Mattiske Consulting (1998)

GIS database:
- Mattiske Vegetation (01/03/1998)
- SAC Biodatasets - accessed 30 Oct 08

(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

Although there are 15 records of rare flora within the local (10km radius) area, none of these share the same soil and vegetation types as the vegetation under application. The clearing as proposed is therefore not likely to be at variance to this principle.

Methodology DEC site visit (2008)

GIS database:
- Mattiske Vegetation (01/03/1998)
- SAC Biodatasets - accessed 30 Oct 08

(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

Eleven threatened ecological communities and 8 priority ecological communities have been recorded within the local (10km radius) area. The closest, however, is 4km from the proposed clearing and as such the application is outside the buffer of all TEC and PEC. The vegetation under application is therefore not likely to be necessary for the maintenance of a threatened ecological community and thus not likely to be at variance to this principle.

Methodology GIS database:
- Mattiske Vegetation (01/03/1998)
- SAC Biodatasets - accessed 30 Oct 08

(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 may be at variance to this Principle

The application lies within the Shire of Busselton, within which 26.22% of the pre-European vegetation remains. This is below the 30% threshold level below which species loss appears to accelerate exponentially at an ecosystem level (EPA 2000). The local (10km radius) area is also highly cleared with approximately 12% of native vegetation representation.

The vegetation under application forms part of the Mattiske Vegetation Complex Ludlow, of which 2.2% of the

pre-European extent remains within the Swan Coastal Plain. This vegetation complex is therefore considered by the EPA to be endangered, as less than 10% remains. The site visit report shows only *Eucalyptus gomphocephala* and *Agonis flexuosa* present, however this will still be providing a 100m buffer to the largest remaining remnant of savannah Tuart.

The proposed clearing is therefore may be at variance to this principle. The proponent has stated that the Tuart trees within the application area will be retained, and this will be a requirement of the permit.

Methodology DEC site visit (2008)
EPA (2000)

GIS database:

- Interim Biogeographic Regionalisation of Australia - EA 18/10/00
- Local Government Authorities - DLI 8/07/04
- Maltiske Vegetation - CALM 1/03/1998
- NLWRA, Current Extent of Native Vegetation 20 Jan 2001

(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 at variance to this Principle**

The application area is 700m from Wannerup and Vasse Estuaries, and 1km from the Abba River. The nearest wetland is a perennial lake 125m north-west of the application area. The proposed clearing therefore falls outside the buffer of any watercourse or wetland and is not riparian vegetation. The clearing as proposed is therefore not at variance to this principle.

Methodology GIS database:

- Geomorphic Wetlands (Mgt Categories), Swan Coastal Plain - DEC 11/04/07
- Hydrography linear - DOW 13/7/06

(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**

Given the small (1.36ha) area under application and the degraded nature of the vegetation to be cleared, it is unlikely that appreciable land degradation will result from the proposed clearing.

Methodology GIS database:

- Soils, Statewide DA 11/99
- Topographic contours statewide - DOLA and ARMY 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 may be at variance to this Principle**

The vegetation under application adjoins the Tuart Forest National Park, is 400m from the Ludlow State Forest and is part of a Register of National Estate. The Ludlow tuart forest, of which the vegetation under application is part of, is the only substantial and the best developed of the world's remaining tuart forests. It is therefore considered a unique ecosystem with very high conservation status (Australian Heritage Database, ND).

The vegetation under application is in degraded condition with weed invasion and no native understorey, however would still be providing a buffer to the Tuart Forest National Park. The application has agreed to retain all *Eucalyptus gomphocephala* (tuart), and this will be made a condition of the permit.

Methodology Australian Heritage Database (ND)
DEC site visit (2008)

GIS database:

- Maltiske Vegetation (01/03/1998)
- CALM Managed Lands and Waters - CALM 01/06/05
- Register of National Estate - Environment Australia, Australian and world heritage division 12 Mar 02

(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 application area is 1km from the Abba River and 700m from Wannerup and Vasse Estuaries. However, given the small (1.36ha) area under application and the degraded nature of the vegetation to be cleared, it is unlikely that deterioration in the quality of surface or underground water will result from the proposed clearing.

Methodology GIS database:
- Hydrography, linear - DOW 13/7/06
- Topographic Contours, Statewide - DOLA 12/09/02

(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 small (1.36ha) and adjoining Tuart Forest National Park, the application is not likely to intensify or increase flooding. The clearing as proposed is therefore not likely to be at variance to this principle.

Methodology GIS database:
- Hydrography, linear - DoW 13/7/06
- Mean Annual Rainfall Isohytes (1975 - 2003) - DEC 02/08/05
- Topographic Contours, Statewide - DOLA 12/09/02

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

Comments

The property under application is zoned general farming. No submissions were received.

Methodology

4. Assessor's comments

Comment

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, and the proposed clearing may be at variance to Principles (b), (e) and (h), is not at variance to Principle (f) and is not likely to be at variance to the remaining clearing Principles.

5. References

- Australian Heritage Database (ND). Ludlow - Wonnerup Area, Bussell Hwy, Wonnerup, WA, Australia. Department of Environment, Water, Heritage and the Arts, Canberra.
- DEC (2008) Site Inspection Report for Clearing Permit Application CPS 2721/1, Lot 4 Layman Road, Wonnerup. Site inspection undertaken 10/11/2008. Department of Environment and Conservation, Western Australia (TRIM Ref. DOC69034).
- EPA (2000) Environmental protection of native vegetation in Western Australia. Clearing of native vegetation, with particular reference to the agricultural area. Position Statement No. 2. December 2000. Environmental Protection Authority, Western Australia.
- 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.
- 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
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
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 DEC)