



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Number: 3043/3
File Number: DEC10897
Duration of Permit: From 26 August 2010 to 26 August 2015

PERMIT HOLDER

BMP Holdings Pty Ltd and Lure Holdings Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Lot 200 on Plan 34987

AUTHORISED ACTIVITY

Clearing of up to 1.87 hectares of native vegetation within the area hatched yellow on attached Plan 3043/3.

CONDITIONS

1 Type of clearing authorized

Clearing authorised under this permit must be conducted from west to east.

2 Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the areas shall be inspected by a *fauna specialist* who shall identify habitat suitable to be utilised as habitat by *Pseudocheirus occidentalis*;
- (b) Prior to clearing, any habitat identified by condition 2(a) shall be inspected by a *fauna specialist* for the presence *Pseudocheirus occidentalis*;
- (c) Immediately prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna clearing person* to remove and relocate the *Pseudocheirus occidentalis* under condition 2(b); and
- (d) Large tree trunks and branches with hollows must be relocated to the degraded parts of the adjacent larger vegetated remnant.

3 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) shall not move soils in wet conditions;
- (c) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

4 Revegetation

(a) The Permit Holder shall establish and maintain native vegetation within the area cross-hatched red on attached Plan CPS 3043/3 in accordance with the following conditions:

- (i) The area is to be planted with 500 seedlings;
- (ii) All seedlings must set up with tree guards;
- (iii) The species shall consist of *Agonis flexuosa*, *Banksia attenuata*, *Kunzea glabrescens*, *Xylomelum occidentale*, *Corymbia calophylla*, *Eucalyptus marginata* and *Banksia ilicifolia*;

- (iv) Seeds and propagating material shall be sourced from within a 10 km radius of the area cleared; and
 - (v) The planting is to commence before August 2011 and be completed by August 2012.
- (b) Within 36 months of undertaking revegetation in accordance with condition 4(a) of this Permit, the Permit Holder must:
- (i) ensure a minimum seedling survival rate of 50%; and
 - (ii) where, in the opinion of an *environmental specialist*, a minimum survival rate of seedlings has not been achieved the Permit Holder must undertake additional planting or direct seeding of native vegetation in accordance with the requirements of condition 4(a) of this Permit.

5 Records to be kept

The Permit Holder must maintain the following records in relation to the revegetation of areas pursuant to condition 4 of this Permit:

- (a) a description of the revegetation activities undertaken; and
- (b) the species composition, structure and density of revegetation.

6 Reporting

- (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
- (i) of records required under condition 5 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 26 June 2015, the Permit Holder must provide to the CEO a written report of records required under condition 5 of this Permit where these records have not already been provided under condition 6(a) of this Permit.

DEFINITIONS

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

dieback means the effect of *Phytophthora* species on native vegetation;

environmental specialist means a person who is engaged by the Permit Holder for the purpose of providing environmental advice, who holds a tertiary qualification in environmental science or equivalent, and has experience relevant to the type of environmental advice that an environmental specialist is required to provide under 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;

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;

weed/s means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*.



Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

15 June 2011

Plan 3043/3



LEGEND

- Clearing Instruments**
- Areas Subject to Conditions
 - Areas Approved to Clear

Bunbury 50cm Orthomosaic - Landgate 2008



0 125 m

Scale 1:4961

(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.

[Signature]

Date 15/6/11

K Faulkner

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

Our environment, our future
WA Crown Copyright 2002



1. Application details

1.1. Permit application details

Permit application No.: 3043/3
Permit type: Area Permit

1.2. Proponent details

Proponent's name: **BMP Holdings Pty Ltd and Lure Holdings Pty Ltd**

1.3. Property details

Property: LOT 200 ON PLAN 34987 (PICTON EAST 6229)

Local Government Area:

Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1.87		Mechanical Removal	Building or Structure

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 15 June 2011

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
The vegetation under application is mapped as:	The vegetation is comprised of scattered <i>Eucalyptus marginata</i> and <i>Corymbialcalophylla</i> over <i>Agonis flexuosa</i> and <i>Xylomelum occidentale</i> with some <i>Banksia ilicifolia</i> and <i>Nuytsia floribunda</i> . The understorey is mostly absent of native species, although individual occurrences of <i>Xanthorrhoea brunonis</i> , <i>Jacksonia furcellata</i> , <i>Daviesia</i> sp, <i>Kunzea glabrescens</i> , <i>Lepidosperma longitudinale</i> and <i>Patersonia</i> sp were recorded on site. In the south east corner <i>Hibbertia hypericoides</i> , <i>Gompholobium</i> sp. and <i>hardenbergia comptoniana</i> were recorded. The lower storey is dominated by weeds (MBS, 2009).	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The condition and description of the vegetation under application was determined by the use of aerial photography and photos supplied by the applicant.
Beard 1000 - Mosaic: Medium forest; jarrah-marri / Low woodland; banksia / Low forest; teatree (<i>Melaleuca</i> spp.)			
GUILDFORD COMPLEX - A mixture of open forest to tall open forest of <i>Corymbia calophylla</i> (Marri) - <i>Eucalyptus wandoo</i> (Wandoo) - <i>Eucalyptus marginata</i> (Jarrah) and woodland of <i>Eucalyptus wandoo</i> (Wandoo) (with rare occurrences of <i>Eucalyptus lane-poolei</i> (Salmon White Gum)). Minor components include <i>Eucalyptus rudis</i> (Flooded Gum) - <i>Melaleuca raphiophylla</i> (Swamp Paperbark).			
SOUTHERN RIVER COMPLEX - Open woodland of <i>Corymbia calophylla</i> (Marri) - <i>Eucalyptus marginata</i> (Jarrah) - <i>Banksia</i> species with fringing woodland of <i>Eucalyptus rudis</i> (Flooded Gum) - <i>Melaleuca raphiophylla</i> (Swamp Paperbark) along creek beds.			

3. Assessment of application against clearing principles

Comments

Clearing Permit CPS 3043/3 has been amended to change Condition 4 (v) Commencement of Planting allowing planting to commence before August 2011.

The assessment against the clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 3043/2.

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

Comments

The applied area was protected under a condition to the clearing undertaken in CPS 788/1. The clearing permit was partially granted to allow for clearing on the western side of the railway line. This decision was consistent with the Minister's determination of March 2006. In accordance with section 51F of the EP Act, the Department of Environment and Conservation (DEC) cannot make a decision contrary to the decision made by the then Minister in March 2006. This decision of the Minister (2006) was in relation to the property under application which was assessed within a 22 hectare area by the EPA in Bulletin 1112 (EPA, 2003a), however the current application area is outside the assessed area.

The area has also been assessed by the EPA under the Greater Bunbury Regional Scheme (GBRS) and within the Preston Industrial Park, EPA Bulletin 1282.

The application area is apart of a larger area of remnant vegetation that serves as an ecological linkage to nearby reserves and has been recognized in the Greater Bunbury Regional Scheme (GBRS) as being regionally significant in maintaining ecological processes and systems (EPA, 2003b)

Within the Preston Industrial Park (PIP) area the EPA advises that all native vegetation within the PIP is considered regionally significant and should be retained (EPA, 2008).

As detailed in a submission received from MBS Environmental on behalf of the applicant, the application area has no aboriginal sites of significance within the proposal area (MBS, 2009b).

This permit is granted due to the recent decision by the Minister for Environment (May 2010) to partially uphold the appeal against the refusal to grant CPS 3043/1 (CO 10/09) subject to appropriate conditions including a requirement for management measures and/or offset to mitigate cumulative impacts and the loss of ecological linkage. Conditions have been imposed on the permit.

Methodology EPA (2003a)
EPA (2003b)
EPA (2008)
MBS (2009b)

4. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- DEC (2007) DEC Fauna Habitat Notes.xls. February 2007. Department of Environment and Conservation, Western Australia.
- DEC (2009) Site Inspection Report for Clearing Permit Application CPS 3043/1, Lot 200 on Plan 34987, Picton East. Site inspection undertaken 08/04/2009. Department of Environment and Conservation, Western Australia (TRIM Ref. DOC81915).
- EPA (2003) Greater Bunbury Region Scheme. Bulletin 1108. Environmental Protection Authority, Western Australia.
- EPA (2003a) Clearing of approximately 22 hectares of native vegetation for agriculture: Collie Agricultural Area Lot 37 Harris road, Picton. Environmental Protection Authority, Bulletin 1112
- EPA (2008) Advice on areas of conservation significance in the Preston Industrial Park. Environmental Protection Authority, Bulletin 1282
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- MBS (2009) Clearing permit application supporting information and site photos
- Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68): 'Atlas of Australian Soils, Sheets 1 to 10, with explanatory data'. CSIRO and Melbourne University Press: Melbourne.
- Shepherd, D.P. (2009) Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.

5. 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
DoE	Department of Environment
DoIR	Department of Industry and Resources
GIS	Geographical Information System
ha	Hectare (10,000 square metres)