



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 3199 / 1

File Number: DEC11898

Duration of Permit: From 13 September 2009 to 13 September 2011

PERMIT HOLDER

V & V Walsh Pty Ltd on behalf of Rawling Road Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

LOT 1 ON DIAGRAM 12060

LOT 5 ON DIAGRAM 50137

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 3.37 hectares of native vegetation, within the areas hatched yellow on attached Plan 3199/1.

CONDITIONS

Nil

A handwritten signature in black ink, appearing to read "K Faulkner", written over a horizontal line.

Kelly Faulkner

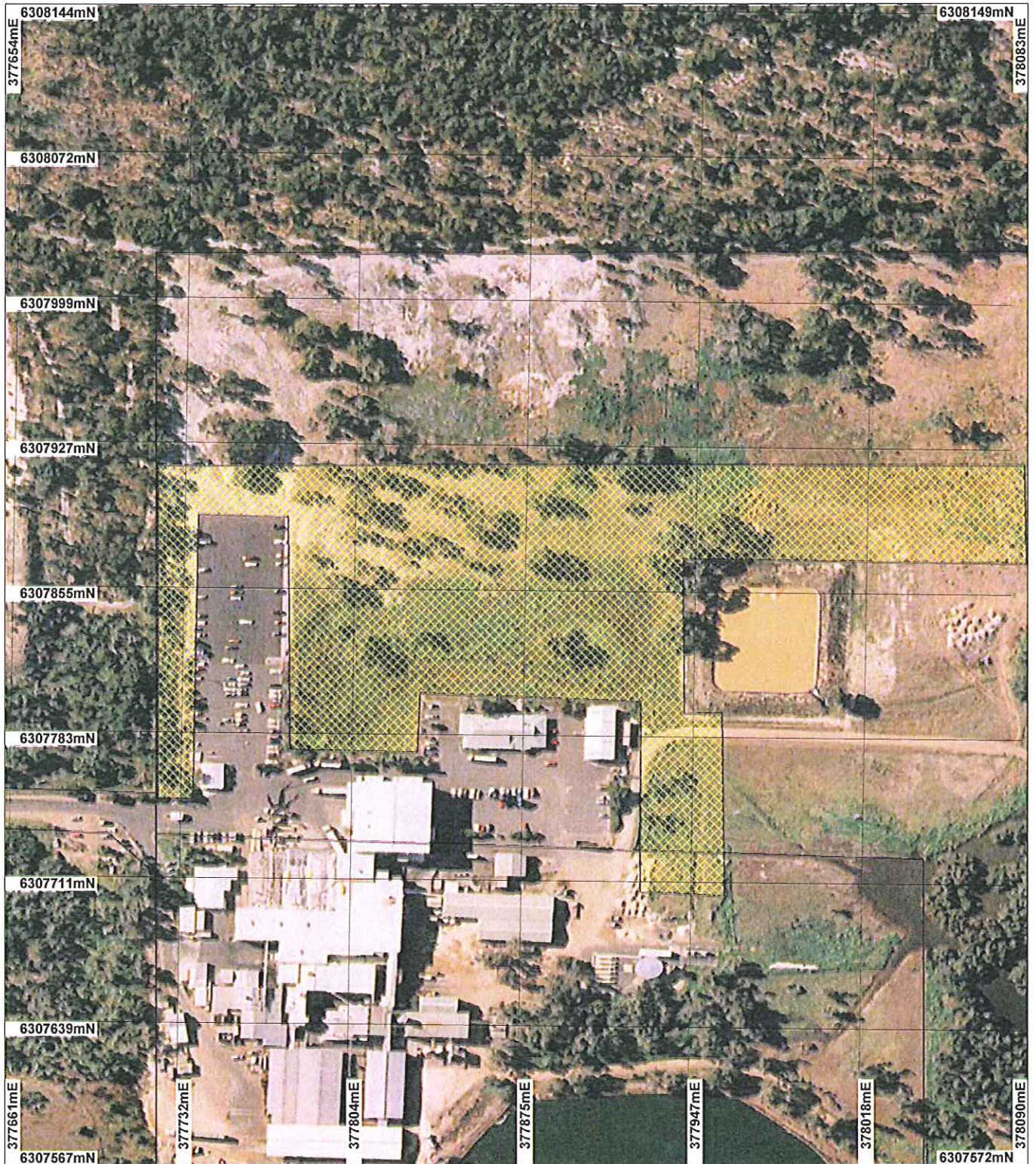
MANAGER

NATIVE VEGETATION CONSERVATION BRANCH

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

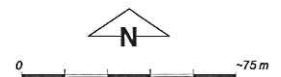
13 August 2009

Plan 3199/1



LEGEND

Clearing Instruments
Cadastre
Bunbury 50cm Orthomosaic



Scale 1:2537

(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 13/8/09
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

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1. Application details

1.1. Permit application details

Permit application No.: 3199/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: V & V Walsh Pty Ltd

1.3. Property details

Property: LOT 1 ON DIAGRAM 12060 (DAVENPORT 6230)
LOT 5 ON DIAGRAM 50137 (Lot No. 5 SOUTH WESTERN DAVENPORT 6230)

Local Government Area: City Of Bunbury

Colloquial name:

1.4. Application

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

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: 1000 - Mosaic: Medium forest; jarrah-marri / Low woodland; banksia / Low forest; teatree (Melaleuca spp.) (Shepherd, 2007)	The proposal is to clear 3.37ha of native vegetation for the purpose of constructing a car park, cool storage and meat packing facility. The vegetation is in completely degraded to degraded (Keighery, 1994) condition (DEC, 2009).	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The condition of the vegetation was determined through a site inspection conducted on the 6 August 2009 (DEC, 2009a).
Hedde Vegetation Complex: 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. (Hedde et al, 1980)			

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 proposal is to clear 3.37 ha of native vegetation in completely degraded to degraded (Keighery, 1994) condition (DEC, 2009a) for the purpose of constructing a car park, cool storage and meat packing facility.

The local area (10km radius) retains approximately 30% native vegetation much of which is in similar or better condition than the applied area.

Given the level of disturbance of the applied area and the predominant lack of understorey it is not likely that the vegetation under application has a high level of biodiversity in a local context.

Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology

References:

DEC (2009a)
Keighery (1994)

GIS Database:

CALM Managed Lands and Waters - CALM 01/06/05
SAC Biodatasets - accessed 23 July 2009
Hedde Vegetation Complexes - DEP 22/06/95
Pre European Vegetation - DA 01/01
Clearing Regulations, Environmentally Sensitive Areas 30 May 2005
NLWRA, Current Extent of Native Vegetation 20 Jan 2001

(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 local area (10km radius) retains approximately 30% native vegetation within the local area (10km radius) much of this vegetation is in similar or better condition than the applied area.

A site inspection identified that none of the trees within the applied area are potential habitat trees however one *Agonis flexuosa* (Peppermint) tree within the applied area was recorded as having a scat in close proximity. It is possible that this tree, and other Peppermint trees within the applied area is used as occasional feeding habitat for Western Ringtail Possums (DEC, 2009a).

While a number of priority, threatened and endangered fauna occur within the local area however it is not likely that the applied area is significant as habitat for these or other native fauna species due to the completely degraded to degraded (Keighery, 1994) condition of the vegetation (DEC, 2009a).

Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology

References:

DEC (2009a)
Keighery (1994)

GIS Database:

CALM Managed Lands and Waters - CALM 01/06/05
SAC Biodatasets - accessed 23 July 2009
Hydrography linear - DOW 13/7/06

(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

There are three records of rare flora occurring within the local area, namely *Diuris drummondii*, *Eleocharis keigheryi* and *Drakaea micrantha*.

D. drummondii is known to occur in low lying depressions and swamps (WA Herb, 1998-). *E. keigheryi* is known to occur in clay or sandy loam soils and is emergent in freshwater creeks and claypans (WA Herb, 1998-). *D. micrantha* is known to occur on white to grey sands (WA Herb, 1998-).

The applied area is partially mapped as multiple use wetland and is in close proximity to a perennial lake (both of which have been highly modified) and minor watercourse is located approximately 85m east of the applied area. The vegetation under application has been highly disturbed, with all of the vegetation in close proximity to these surface water expression areas being in a completely degraded (Keighery, 1994) condition (DEC, 2009a).

Given the above it is not likely that rare flora occur within or require the vegetation under application for their continued existence as the applied area is not likely to comprise suitable habitat in which they would persist (DEC, 2009b).

Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology

References:

DEC (2009a)
DEC (2009b)
Hedde et al. (1980)
Keighery (1994)
WA Herbarium (1998-)

GIS Database:
Hedde Vegetation Complexes - DEP 22/06/95
Pre European Vegetation - DA 01/01
SAC Biodatasets - accessed 23 July 2009
Soils, Statewide DA 11/99

(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 7 known records of threatened ecological communities (TEC's) occurring within the local area (10km radius).
The closest occurrence of a TEC is located approximately 2.4km west south west of the applied area.
The vegetation under application is not representative of any known TEC (DEC, 2009a).
Given the distance between the applied area and the closest known TEC it is not likely that the vegetation under application is part of, or necessary for the maintenance of, a TEC.
Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology **References:**
DEC (2009a)
GIS Database:
SAC Biodatasets - accessed 23 July 2009
Hedde Vegetation Complexes - DEP 22/06/95
Pre European Vegetation - DA 01/01
Soils, Statewide DA 11/99

(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 likely to be at variance to this Principle			
	Pre-European (ha)	Current extent (ha)	Remaining (%)	% In reserves DEC Managed Land
IBRA Bioregions*				
Swan Coastal Plain	1,501,280	583,140	38.84	32.55
City*				
Bunbury	6,180	1,620	26.22	0.76
Hedde Vegetation Complex**				
Southern River Complex	57,979	11,501	19.8	1.5
Beard Vegetation Association*				
1000	99,800	28,541	28.60	15.74
Beard Vegetation Association with Bioregion*				
1000	94,175	25,235	26.80	16.14

* (Shepherd et al. 2007)

** (Hedde et al., 1980)

The applied area is mapped as Southern River Complex however a site inspection of the applied area observed the vegetation to be in completely degraded to degraded (Keighery, 1994) condition (DEC, 2009a). As such most of the vegetation under application is parkland cleared and is no longer represents the Southern River vegetation complex.

The local area (10km radius) retains approximately 30% native vegetation and the applied area is within the Greater Bunbury Regional Scheme (GBRS) constrained area within which the EPA recommends a minimum retention of 10% of the pre-European vegetation extent.

Given the above the vegetation under application is not likely to be significant as a remnant of vegetation in an extensively cleared landscape.

Methodology

References:

DEC (2009a)
Hedde et al. (1980)
Keighery (1994)
Shepherd (2007)

GIS Database:

Hedde Vegetation Complexes - DEP 22/06/95
Interim Biogeographic Regionalisation of Australia - EA 18/10/00
Local Government Authorities - DLI 8/07/04
Pre European Vegetation - DA 01/01
SAC Biodatasets - accessed 23 July 2009
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 likely to be at variance to this Principle

The applied area is partially mapped as multiple use wetland. Multiple use wetlands have few remaining important attributes and functions (DEC, 2008).

The applied area is also adjacent to a highly modified perennial lake (now more representative of an earth dam).

A site inspection of the applied area did not identify any riparian vegetation within the applied area (DEC, 2009). Some areas under application were noted to retain water on the soil surface however these areas were devoid of native vegetation (DEC, 2009a).

Given the vegetation under application is not likely to contain riparian native vegetation and therefore is not likely to be at variance to this principle.

Methodology

References:

DEC (2008)
DEC (2009a)

GIS Database:

ANCA wetlands - Environment Australia 26/3/99
CALM Managed Lands and Waters - CALM 01/06/05
EPP Lakes Policy Area - DEP 14/05/97
Clearing Regulations, Environmentally Sensitive Areas 30 May 2005
Geomorphic Wetlands (Mgt Categories), Swan Coastal Plain DEC 11/04/07
Hydrography linear - DOW 13/7/06
Ramsar wetlands - DEC 03
South Coast Significant Wetlands - WRC 10/06/2003

(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

A site inspection identified that the applied area is in completely degraded to degraded (Keighery, 1994) condition (DEC, 2009a).

The applied area is mapped as having a moderate to high risk of acid sulphate soils (ASS), however, removal of the vegetation under application is not likely to disturb any soil profiles that contain ASS.

Given the above the clearing as proposed is not likely to be at variance to this principle.

Methodology

References:

DEC (2009a)
Keighery (1994)

GIS Database:

Acid Sulfate Soil Risk Map, Swan coastal Plain - DEC 07/08/06
Average Annual Rainfall Isohyets - WRC 29/09/98

Annual Evaporation Contours (Isopleths) - WRC 29/09/98
 Hydrogeology, statewide DOW 13/07/06
 Hydrographic catchments, catchments - DoW 01/06/07
 Hydrography, linear - DOW 13/7/06
 Salinity Risk LM 25m - DOLA 00
 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 is not likely to be at variance to this Principle

The closest area of conservation significance is located approximately 770m (Government Building) and 1.2km N (Land for Wildlife site).

The applied area is identified as occurring on the boarder of the Ferguson River Ecological Linkage (Riverine Linkage). Given that the vegetation under application is in completely degraded to degraded (Keighery, 1994) condition and the vegetation under application is not likely to be associated with the Ferguson River it is not likely that removal of the vegetation under application will degrade this ecological linkage (EPA, 2003)

Given the distance between the closest conservation areas and the applied area, and taking into account the completely degraded to degraded (Keighery, 1994) condition of the vegetation (DEC, 2009a), the clearing as proposed is not likely to impact on the environmental values of nearby conservation areas.

Methodology References:
 DEC (2009a)
 EPA (2003)
 Keighery (1994)

GIS Database:
 CALM Managed Lands and Waters - CALM 01/06/05
 Hydrography, linear - DOW 13/7/06
 Register of National Estate - Environment Australia, Australian and world heritage division 12 Mar 02
 System 1 to 5 and 7 to 12 areas DEC 11/7/06

(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 vegetation under application is predominately parkland cleared with the vegetation in completely degraded to degraded (Keighery, 1994) condition (DEC, 2009a).

The applied area is mapped as having a moderate to high risk of Acid Sulfate Soils however the removal of native vegetation is not likely to disturb these sensitive soil profiles.

Removal of the few deep rooted perennial trees within the applied area is not likely to impact on the quality or quantity of surface or underground water within the local area (10km radius).

Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology References:
 DEC (2009a)
 Keighery (1994)

GIS Database:
 Evapotranspiration Isopleths - WRC 29/09/98
 Groundwater Salinity Statewide DoW 13/07/06
 Hydrographic catchments, catchments - DoW 01/06/07
 Hydrography, linear - DOW 13/7/06
 Mean Annual Rainfall Isohytes (1975 - 2003) - DEC 02/08/05
 Salinity Risk LM 25m - DOLA 00
 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 vegetation under application is in completely degraded to degraded (Keighery, 1994) condition (DEC,

2009a).

Removal of the few deep root perennial trees within the applied area is not likely to significantly alter the ability of the land to drain away excess water held within the A horizon of the soil profile.

Given the above the clearing as proposed is not likely to be at variance to this principle.

Methodology References:
DEC (2009a)
Keighery (1994)

GIS Database:
Environmental Impact Assessments - EPA 22/2/07
Evaporation Isopleths - WRC 29/09/98
Hydrographic catchments, catchments - DoW 01/06/07
Hydrography, linear - DoW 13/7/06
Mean Annual Rainfall Isohyets (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 proposal is to clear 3.37 ha of native vegetation for the purpose of constructing a car park, cool storage and meat packing facility. Development Approval has been granted by the City of Bunbury on the 3 August 2009 (DOC92814).

The applied area is zoned as industrial under the Greater Bunbury Regional Scheme (GBRS). In addition the GBRS identifies the applied area as occurring on the boarder of the Ferguson River Ecological Linkage (Riverine Linkage). Given that the vegetation under application is in completely degraded to degraded (Keighery, 1994) condition and the vegetation under application is not likely to be associated with the Ferguson River it is not likely that removal of the vegetation under application will degrade this ecological linkage (EPA, 2003).

Methodology The applicant has recently applied to DEC for a works approval to complete the proposal (DOC97735).
References:
EPA (2003)

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 is not likely to be at variance to any of the clearing Principles.

5. References

- DEC (2008) Memo re Standard Wetlands Advice for Native Vegetation Conservation Branch. Dated 17/07/2008. Species and Communities Branch, Department of Environment and Conservation, Western Australia (TRIM Ref. DOC59490).
- DEC (2009a) South West Regional Advice and Site Inspection Report for CPS 3199/1. Site inspection conducted on 6 August 2009. Department of Environment and Conservation TRIM Ref: DOC97735.
- DEC (2009b) DEC flora advice. Department of Environment and Conservation TRIM Ref: DOC93106.
- 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.
- 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. (2007). 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. Includes subsequent updates for 2006 from Vegetation Extent dataset ANZWA1050000124.
- Western Australian Herbarium (1998-). FloraBase The Western Australian Flora. Department of Environment and Conservation. <http://florabase.dec.wa.gov.au/> (Accessed 11/08/2009).

6. Glossary

Term	Meaning
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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)