



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 3226/1

File Number: DEC12060

Duration of Permit: From 17 October 2009 to 17 October 2011

PERMIT HOLDER

Michael Paul Dagostino

Nicholas John Vitalone

LAND ON WHICH CLEARING IS TO BE DONE

Lot 11 on Diagram 49138

AUTHORISED ACTIVITY

Clearing of up to 10 hectares of native vegetation within the area hatched yellow on attached Plan 3226/1.

CONDITIONS

1. Dieback and weed control

- (a) 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*:
- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) shall not move soils in wet conditions;
 - (iii) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
 - (iv) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
- (b) At least once in each 12 month period for the *term* of this Permit, the Permit Holder must remove or kill any *weeds* growing within areas cleared under this Permit.

2. Vegetation management

The Permit Holder shall not clear native vegetation within 50 metres of any *watercourse* or *wetlands* within the area hatched yellow on attached Plan 3226/1.

Definitions

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

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

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;

term means the duration of this Permit, including as amended or renewed;

watercourse has the meaning given to it in section 3 of the *Rights in Water and Irrigation Act 1914*;

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*.

wetland/s means an area of seasonally, intermittently or permanently waterlogged or inundated land, whether natural or otherwise, and includes a lake, swamp, marsh, spring, dampland, tidal flat or estuary.



Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

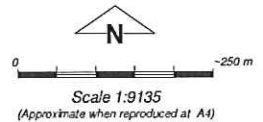
16 September 2009

Plan 3226/1



LEGEND

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| <p>Clearing Instruments</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Areas Approved to Clear <input type="checkbox"/> Road Centrelines <input type="checkbox"/> Cadastre | <p>Cadastre for labelling</p> <p>Bunbury 50cm Orthomosaic •
Landgate 2006</p> |
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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 16/9/09
 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.



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* Project Data is denoted by asterisk. This data has not been quality assured. Please contact map author for details.



1. Application details

1.1. Permit application details

Permit application No.: 3226/1

Permit type: Area Permit

1.2. Proponent details

Proponent's name: MR Michael Paul Dagostino and MR Nicholas John Vitalone

1.3. Property details

Property: LOT 11 ON DIAGRAM 49138 (Lot No. 11 RUNNYMEDE BINNINGUP 6233)
 LOT 11 ON DIAGRAM 49138 (Lot No. 11 RUNNYMEDE BINNINGUP 6233)

Local Government Area:

Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
10		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
Bassendean Central & South: Vegetation ranges from woodland of Eucalyptus marginata (Jarrah) - Allocasuarina fraseriana (Sheoak) - Banksia species to low woodland of Melaleuca species, and sedgelands on the moister sites. This area includes the transition of Eucalyptus marginata (Jarrah) to Eucalyptus todtiana (Pricklybark) in the vicinity of Perth (Heddle et al., 1980).	The area under application is in a 'degraded' to a 'completely degraded' (Keighery, 1994) condition with native vegetation consisting of Agonis flexuosa and Eucalyptus marginata. The ground cover layer is mostly dominated by weed species like cottonbush, there however a few occurrences of Macrozamia riedlei and Xanthorrhoea preissii. (DEC, 2009).	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	The vegetation condition was assessed through aerial imagery (Bunbury 50cm Orthomosaic - Landgate 2006) and a site visit (DEC, 2009)
Beard 1000: Mosaic: Medium forest; jarrah-marri / Low woodland; banksia / Low forest; teatree (Melaleuca spp.) (Shepherd, 2007).			
As above	As above	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	As above

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 application is to clear 10 hectares of vegetation for the purpose of grazing. The area under application is in a degraded to a completely degraded (Keighery, 1994) condition with predominately regrowth native vegetation consisting of Agonis flexuosa and Eucalyptus marginata. The ground cover layer is mostly dominated by weed species like cottonbush, there however a few occurrences of Macrozamia riedlei and Xanthorrhoea preissii. (DEC, 2009).

Within the local area (10km radius) there is approximately 50% native vegetation remaining. The application area is falls within the McLarty / Kemerton / Twin Rivers / Preston River / Gwindinup Ecological Linkage (EPA, 2003) and surrounded by a large area of connected bushland in similar or better condition than the application area.

The proposal as stated is unlikely to comprise of a high level of biodiversity or flora and fauna of the local area (DEC, 2009).

Methodology EPA (2003)
DEC (2009)

GIS Database:
Bunbury 50cm Othomosaic Landgate 2006
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

Within the local area (10km radius) there is approximately 50% native vegetation remaining. The application area falls within the McLarty / Kemerton / Twin Rivers / Preston River / Gwindinup Ecological Linkage (EPA, 2003) and is surrounded by a large area of connected bushland in similar or better condition than the application area. The clearing of 10 hectares within an already highly cleared 34 ha area is unlikely to degrade the connectivity of the ecological linkage.

The application area consists of predominately regrowth jarrah and peppermint trees to a height of 1.5m (DEC, 2009). The applicant has committed to retaining large mature trees (DEC, 2009). The vegetation within the application area is not be considered to be significant habitat or foraging for Carnaby's Black-Cockatoo (EN), Forest Red-tailed Black-Cockatoo (Vu), Western Ringtail Possum (VU) and Brush-tailed Phascogale, Wambenger (Vu) all recorded within a 5km radius of the application area.

Methodology DEC (2009)
GIS Database:
- Bunbury 50cm Othomosaic Landgate 2006
- NLWRA, Current Extent of Native Vegetation 20 Jan 2001
- Sac Biodatasets (Fauna - accessed 24/8/09)

(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

The vegetation within the application area is considered to be in a degraded to completely degraded (Keighery, 1994) condition, with areas that have been parkland cleared and regrowth of marri, jarrah and peppermint tree predominating. There is a history of grazing on within the application area.

There is one known record of rare flora species located within the local area (10km radius). *Drakaea micrantha* (1.2 km north east) is found on white-grey sands (WA Herbarium, 1998~). The application area is mapped as leached sands (Northcote, 1960-68).

Given the lack of understorey and history of grazing it is unlikely that the proposed clearing is at variance to this principle.

Methodology Keighery (1994)
WA Herbarium (1998~)
GIS Database:
Sa biodatasets (accessed 24/8/09)

(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

The closest recorded Threatened Ecological Community is Shrublands and woodlands on Muchea Limestone. It is located 3.7km south east of the application area. Given the degraded to completely degraded (Keighery, 1994) condition of the vegetation within the application area, lack of understorey and biodiversity (DEC, 2009), it is unlikely that the clearing as proposed is at variance to this principle.

Methodology DEC (2009)
GIS Database:
- Sacbiodatasets (TEC accessed 24/8/09)

(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^	1,501,209	583,141	38.84	32.55
Shire* Harvey	171,210	92,376	53.96	N/A
Hedde Vegetation Complex** Bassendean Central & South	87,477	23,624	27	0.7
Beard Vegetation Association within Bioregion* 1000	94,175	25,235	26.8	16.14
Beard Vegetation Association 1000	99,801	28,541	28.6	15.74

* (Shepherd et al. 2007)

** (Hedde et al., 1980)

^ Area within Intensive Land Use Zone

Within the local area (10km radius) there is approximately 50% native vegetation remaining. The application area falls within the McLarty / Kemerton /Twin Rivers / Preston River / Gwindinup Ecological Linkage (EPA, 2003) and is surrounded by a large area of connected bushland in similar or better condition than the application area. The vegetation within the application area is not likely to be indicative of the under represented vegetation complexes mapped for the area.

Given the degraded to completely degraded (Keighery, 1994) condition of the vegetation and taking into account the large intact remnants of vegetation nearby, the clearing as proposed is not likely to be at variance to this principle.

Methodology EPA (2003)
Keighery (1994)
Hedde et al (1980)
Shepherd (2007)

GIS Database:
Pre-European Vegetation - DA 01/01
Hedde Vegetation Complexes - DEP 21/06/95
Bunbury 50cm Othomosaic Landgate 2006
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 may be at variance to this Principle**

There is a conservation class wetland (Dampland) located 50 metres to the east of the application area and runs parallel to the eastern boundary. Another conservation class wetland is located 260 metres east of the southern most section of vegetation under application.

Additionally, a multiple use wetland (Dampland) is located 150 metres north east of northern section of applied areas.

A wetland buffer condition will be placed on the permit to ensure clearing of riparian vegetation associated with the conservation class wetland located 50m to the east of the applied area.

Methodology Bunbury 50cm Othomosaic Landgate 2006
Hydrography linear - DOW 13/7/06
Geomorphic wetlands - Swan Coastal Plain - DOE 15/09/04

(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 application area slopes from west to east (DEC, 2009) in the direction of the conservation class wetland. Rainfall for the local area is 900mm and the evapotranspiration rate is 800mm with mapped soils of leach sands. The application area consists of paddock trees and regrowth and as the proposed clearing is located on sandy soils land degradation is unlikely to be exacerbated.

Methodology DEC (2009)

GIS Databases:

Average Annual Rainfall Isohyets - WRC 29/09/98

Annual Evaporation Contours (Isopleths) - WRC 29/09/98

Hydrogeology, statewide - DOW 13/07/06

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 may be at variance to this Principle

Mylup state forest is located 120 metres north of the application area with Ex Dir Freehold located 2.5km east and 4.7km south of applied areas and Byrd Swamp Nature Reserve located 3.5km east.

Within the local area (10km radius) there is approximately 50% native vegetation remaining. The application area falls within the McLarty / Kemerton / Twin Rivers / Preston River / Gwindinup Ecological Linkage (EPA, 2003) and is surrounded by a large area of connected bushland in similar or better condition than the application area.

Given that the area under application is supporting vegetation to an ecological linkage and taking into consideration the degraded to completely degraded (Keighery, 1994) condition of the vegetation, the clearing as proposed may be at variance to this principle.

Dieback and weed management conditions will be placed on the permit to prevent the spread of disease and weeds into nearby conservation areas.

Methodology References:
EPA (2003)

GIS Databases:

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

System 6 Conservation Reserves 1/2/1993

(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 falls within Harvey Diversion, Harvey River catchment area with a low groundwater salinity of 500 - 1000 mg/L and slopes from west to east (DEC, 2009) in the direction of the conservation class wetland (west).

Given that there are nearby areas of intact vegetation in better condition than the applied area, and taking into account the degraded to completely degraded (Keighery, 1994) condition of the vegetation, the clearing as proposed is not likely to cause deterioration in the quality of surface or underground water.

Methodology DEC (2009)

Keighery (1994)

GIS Databases:

Bunbury 50cm Othomosaic Landgate 2006

Hydrography linear - DOW 13/7/06

Geomorphic wetlands - Swan Coastal Plain - DOE 15/09/04

Groundwater Salinity Statewide DoW 13/07/06

(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 a degraded to completely degraded (Keighery, 1994) condition with much of the land being parkland cleared (DEC, 2009)

The soils under application are mapped as being chiefly leached sands (Cb39; Northcote et al., 1960-1986), these soils are highly porous and therefore excess water is not likely to pool on the surface.

Given the vegetation retention in the local area is approximately 50% and taking into account the soils and condition of the vegetation under application, the clearing as proposed is not likely to be at variance to this principle.

Methodology Keighery (1994)
Northcote et al (1960-1986)
DEC (2009)
GIS Database:
Bunbury 50cm Othomosaic Landgate 2006
Hydrography linear - DOW 13/7/06
Soils, Statewide DA 11/99
Topographic contours statewide - DOLA and ARMY 12/09/02

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

Comments

The application area is zoned Rural in the Town Planning Scheme and Greater Bunbury Regional Scheme.

The application area is just outside the buffer of Kemerton Industrial Park.

The application area is within Rights in Water Irrigation South West Coastal Area. The use of water is not required (DEC TRIM Ref : DOC97782).

Methodology GIS Database:
- RIWI Areas

4. Assessor's comments

Comment

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s510 of the Environmental Protection Act 1986, and the proposed clearing may be at variance with principle (f) and (h) and is not likely to be at variance with the remaining principles.

5. References

- DEC (2009) Site Inspection Report for Clearing Permit Application CPS 3226/1, Lot 11 Runnymede Road, Binningup. Site inspection undertaken 31/08/2009. Department of Environment and Conservation, Western Australia (TRIM Ref. DOC97221).
- EPA (2003) Greater Bunbury Region Scheme. Bulletin 1108. Environmental Protection Authority, Western Australia.
- Heddl, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. 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.
- 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. (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.

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)