



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 3501/1
Permit Holder:	Shire of Katanning
Duration of Permit:	11 March 2010 – 11 March 2015

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done

Clearing for the purpose of road widening and maintenance of table drains.

2. Land on which clearing is to be done

Katanning-Dumbleyung Road Reserve (Moojebing 6317)
Katanning-Dumbleyung Road Reserve (Pinwernying 6317)

3. Area of Clearing

The Permit Holder must not clear more than 1.32 hectare of native vegetation within the area shaded yellow on attached Plan 3501/1.

4. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

5. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation for activities to the extent that the Permit Holder has the power to clear native vegetation for those activities under the *Local Government Act 1995* or any other written law.

6. Compliance with Assessment Sequence and Management Procedures

Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

7. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared for the authorised purpose of this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

8. 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*:
- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
 - (iii) 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.

9. Offsets

If part or all of the clearing to be done is or may be at variance with one or more of the clearing principles, then the Permit Holder must implement an *offset* in accordance with conditions 9(a) and (b) of this Permit with respect to that clearing.

(a) Determination of *offsets*:

- (i) in determining the *offset* to be implemented with respect to a particular area of native vegetation proposed to be cleared under this Permit, the Permit Holder must have regard to the *offset* principles contained in condition 9(b) of this Permit;
- (ii) once the Permit Holder has developed an *offset proposal*, the Permit Holder must provide that *offset proposal* to the CEO for the CEO's approval prior to undertaking any clearing to which the *offset* relates, and prior to implementing the *offset*;
- (iii) clearing may not commence until and unless the CEO has approved the *offset proposal* to which the clearing relates;
- (iv) the Permit Holder shall implement the *offset proposal* approved under condition 9(a)(iii); and
- (v) each *offset proposal* shall include a *direct offset*, timing for implementation of the *offset proposal* and may additionally include *contributing offsets*.

(b) For the purpose of this condition, the *offset* principles are as follows:

- (i) *direct offsets* should directly counterbalance the loss of the native vegetation;
- (ii) *contributing offsets* should complement and enhance the *direct offset*;
- (iii) *offsets* are implemented only once all avenues to avoid, minimise, rectify or reduce environmental impacts have been exhausted;
- (iv) the environmental values, habitat, species, *ecological community*, physical area, ecosystem, landscape, and hydrology of the *offset* should be the same as, or better than, that of the area of native vegetation being *offset*;
- (v) a ratio greater than 1:1 should be applied to the size of the area of native vegetation that is *offset* to compensate for the risk that the *offset* may fail;
- (vi) *offsets* must entail a robust and consistent assessment process;
- (vii) in determining an appropriate *offset*, consideration should be given to ecosystem function, rarity and type of *ecological community*, vegetation *condition*, habitat quality and area of native vegetation cleared;
- (viii) the *offset* should either result in no net loss of native vegetation, or lead to a net gain in native vegetation and improve the *condition* of the natural environment;
- (ix) *offsets* must satisfy all statutory requirements;
- (x) *offsets* must be clearly defined, documented and audited;
- (xi) *offsets* must ensure a long-term (10-30 year) benefit; and
- (xii) an *environmental specialist* must be involved in the design, assessment and monitoring of *offsets*.

PART III - RECORD KEEPING AND REPORTING

10. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
 - (i) the species composition, structure and density of the cleared area;
 - (ii) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
 - (iii) the date that the area was cleared; and
 - (iv) the size of the area cleared (in hectares).

- (b) In relation to the offset of areas pursuant to condition 9:
 - (i) the location of any area of *offsets* recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
 - (ii) a description of the *offset* activities undertaken; and
 - (iii) the size of the *offset* area (in hectares).

11. 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 10 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 11 December 2014, the permit holder must provide to the CEO a written report of records required under condition 10 of this Permit where these records have not already been provided under condition 11 (a) of this Permit.

Definitions

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

condition means the rating given to native vegetation using the *Keighery scale* and refers to the degree of change in the structure, density and species present in the particular vegetation in comparison to undisturbed vegetation of the same type;

contributing offset/s has the same meaning as is given to that term in the Environmental Protection Authority's *Position Statement No.9: Environmental Offsets*, January 2006;

direct offset/s has the same meaning as is given to that term in the Environmental Protection Authority's *Position Statement No.9: Environmental Offsets*, January 2006;

ecological community/ies means a naturally occurring biological assemblage that occurs in a particular type of habitat (English and Blythe, 1997; 1999);

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;

fill means material used to increase the ground level, or fill a hollow;

Keighery scale means the vegetation condition scale described in *Bushland Plant Survey: A Guide to Plant Community Survey for the Community (1994)* as developed by B.J. Keighery and published by the Wildflower Society of WA (Inc). Nedlands, Western Australia;

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;

offset/s means an offset required to be implemented under condition 9 of this Permit;

offset proposal means an *offset* determined by the Permit Holder in accordance with condition 9 of this Permit;

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

weed 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*.

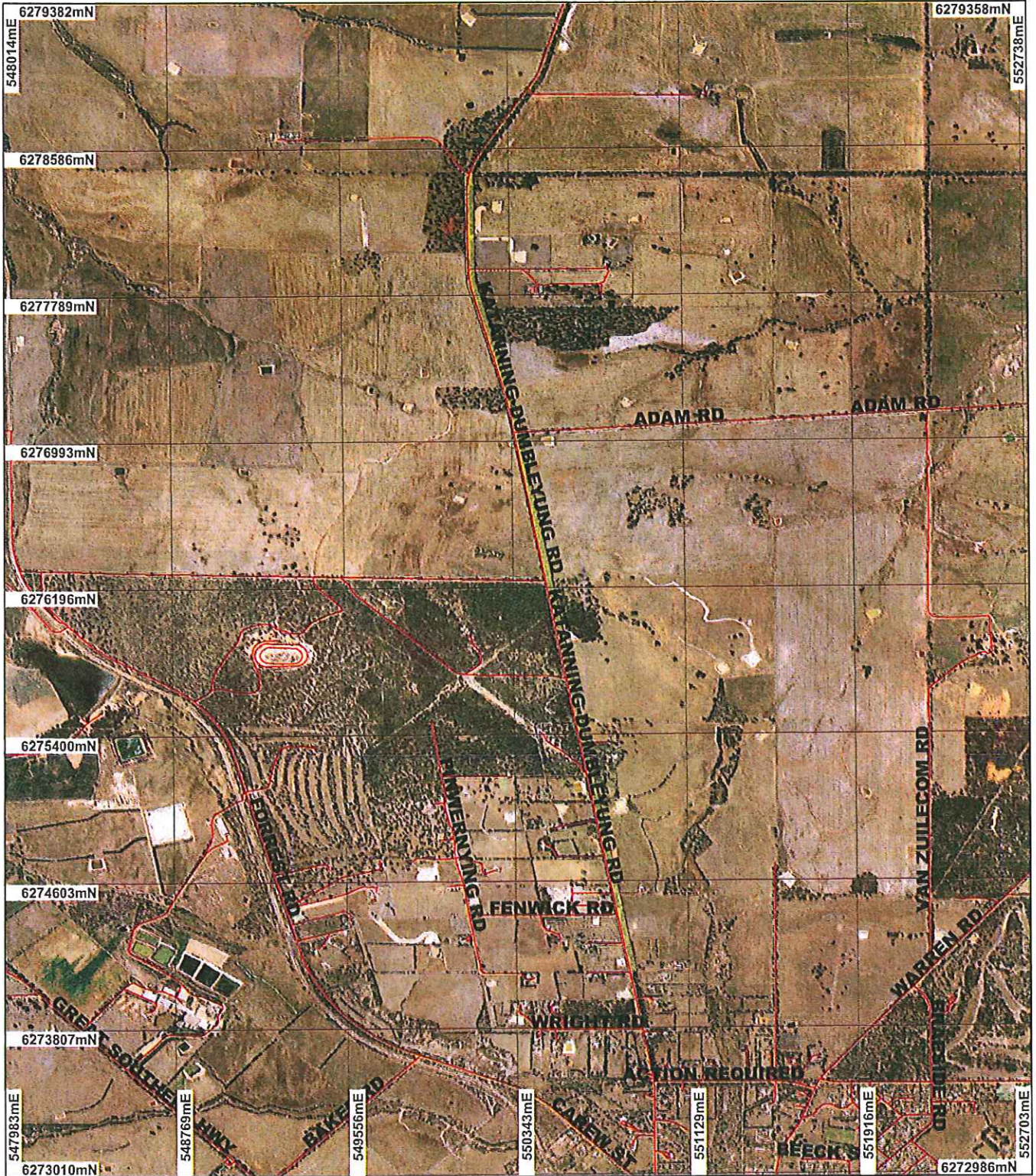


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

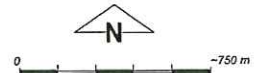
11 February 2010

Plan 3501/1



LEGEND

- | | |
|-------------------------|--|
| Clearing Instruments | Towns |
| Areas Approved to Clear | Katanning 60cm Orthomosaic - Landgate 2006 |
| Road Centrelines | |
| Cadastro | |



Scale 1:28000
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

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

[Signature] Date 11/2/00
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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1. Application details

1.1. Permit application details

Permit application No.: 3501/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Shire of Katanning

1.3. Property details

Property: ROAD RESERVE (MOOJEBING 6317)
ROAD RESERVE (PINWERNYING 6317)

Local Government Area:

Colloquial name: Katanning-Dumbleyung Road reserve

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1.32		Mechanical Removal	Road construction or maintenance

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 types: 1023: Medium woodland; York gum, wandoo & salmon gum (E. salmonophloia) 1085: Medium woodland; wandoo & blue mallet (E. gardneri) 1087: Medium woodland; wandoo, morrell & blue mallet (Shepherd, 2007; SAC Bio Datasets 31/12/2009)	The vegetation under application (1.32 ha) is located within a road reserve, approximately 8 km north of Katanning town site. The purpose of the clearing is to undertake widening and maintenance of Katanning-Dumbleyung Road. The vegetation under application included york gum, wandoo, allocasuarina and acacia over grassy weeds (DEC, 2010).	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The condition of the native vegetation under application was determined from the site inspection undertaken on 19 January 2010 (DEC, 2010).

3. Assessment of application against clearing principles

Comments

The proposed clearing is 1.32 hectares of native vegetation within Katanning-Dumbleyung Road reserve; the proposal comprises 1 m wide section of mature vegetation on the western side within the maintenance zone and a 2 m wide section of vegetation on the eastern side beyond the maintenance area. The vegetation under application comprises moderately sparse native vegetation with weeds dominating the understorey, considered to be in good (Keighery, 1994) condition (DEC, 2010).

The vegetation comprises wandoo and allocasuarina which is the preferred habitat for the endangered Red-tailed Phascogale; they live in the hollows of wandoo and the sheoak provides areas to hunt and forage for food whilst providing cover from predators (DEC, 2010a). The vegetation under application is not large enough to be considered as a viable habitat for most mammal species, but may act as a corridor for bird and may be reptile movement (DEC, 2010a).

Given the low representation of the Beard vegetation types (6.4% and 8.9%) and therefore, the importance of the vegetation on a local and regional context, the vegetation under application may have high biodiversity values. Therefore, the proposed clearing may be at variance to Principle (a).

To reduce the spread of weeds a weed control condition will be imposed on the clearing permit.

Roadside vegetation is important for providing habitat for local fauna, providing a local seed source and acting as a biological corridor to facilitate fauna movement (RCC, Undated). Additionally, the national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 per cent of that present pre-1750, below which species loss appears to accelerate

exponentially at an ecosystem level (Commonwealth of Australia 2001, EPA 2000). Beard vegetation types 1023 (6.4%) and 1085 (8.9%), and the Shire of Katanning (11.2%) retain less than this 30% threshold level. Therefore, the roadside vegetation under application is considered to be significant as a remnant of native vegetation in an area that has been extensively cleared. Therefore, the proposed clearing is at variance to Principle (e).

To mitigate any impacts from the proposed clearing an offset condition will be imposed on the clearing permit.

	Pre-European (ha)	Current extent (ha)	Remaining (%)	In secure tenure (%)
IBRA Bioregion*				
Avon Wheatbelt (AW)	9,517,109	1,443,690	15.1	
Shire of Katanning*	151,814	17,033	11.2	
Local area (10 km radius)	31,400	~3,400	~10.5	
Beard vegetation types*				
1023 (within AW)	1,522,675	97,440	6.4	14.3
1085 (within AW)	51,786	4,615	8.9	0.3
1087 (within AW)	752	249	33.1	25.0

* (Shepherd, 2007)

Methodology

References:

- Commonwealth of Australia (2001)
- DEC (2010)
- DEC (2010a)
- EPA (2000)
- Keighery (1994)
- RCC (Undated)
- Shepherd (2007)
- Submission (2010)

GIS Databases:

- Interim Biogeographic Regionalisation of Australia
- SAC Bio Datasets 31/12/2009

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

Comments

The Shire of Katanning has submitted four clearing applications to clear within road reserves, with the total size of proposed clearing to be 3.24 hectares and 12 trees. Additionally, a further 2 km stretch of Katanning-Dumbleyung Road, which had already been cleared was removed from clearing application CPS 3499/1. Any further clearing within the Shire, which has only 11.2% native vegetation remaining, may result in cumulative effects including significant loss of habitat and biodiversity values.

There is Aboriginal Sites of Significance listed within the area under application, the applicant will be advised of their obligations under the Aboriginal Heritage Act 1972.

A submission for the proposed clearing (2010) was received and where applicable has been addressed in the assessment. The submission (2010) outlines that any proposal to clear beyond the maintenance area is not supported. To mitigate any impacts from the proposed clearing an offset condition and a weed control condition will be imposed on the clearing permit.

The area under application is zoned Roads in the Local Town Planning Scheme.

Methodology

Reference:

- Submission (2010)

GIS database:

- Town Planning Scheme Zones
- Aboriginal Sites of Significance

4. Assessor's comments

Comment

The clearing 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 assessment recommendation is that the clearing as proposed is at variance to Principle (e), may be at variance to Principle (a) and not likely to be at variance to the remaining clearing principles.

5. References

Commonwealth of Australia (2001) National Targets and Objectives for Biodiversity Conservation 2001-2005, AGPS, Canberra.

DEC (2010) Site Inspection Report for Clearing Permit Application CPS 3499/1 Katanning-Dumbleyung Road Reserve, Shire of Katanning Site inspection undertaken 19/1/10. Department of Environment and Conservation, Western Australia. TRIM Ref DOC116971

DEC (2010a) Fauna advice provided by DEC Region. Department of Environment and Conservation, Western Australia. TRIM Ref DOC118210

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.

RCC (Undated) Verge Notes-A Roadside Note for Landowners, Roadside Conservation Committee (RCC), Department of Conservation and Land Management, 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.

Submission (2010) Direct Interest Submission Received. TRIM Ref DOC 116998

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 (now DEC)
DMP	Department of Mines and Petroleum (ex DoIR)
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)

