



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

<b>Purpose Permit number:</b>	CPS 3634/1
<b>Permit Holder:</b>	Shire of Trayning
<b>Duration of Permit:</b>	12 September 2010 – 12 September 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 expanding an existing landfill site

**2. Land on which clearing is to be done**

Lot 76 on Deposited Plan 92416

**3. Area of Clearing**

The Permit Holder must not clear more than 2 hectares of native vegetation within the area hatched yellow on attached Plan 3634/1.

**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 authorised under 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. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (a) retain the vegetative material and topsoil removed by clearing authorised under this Permit and stockpile the vegetative material and topsoil in an area that has already been cleared.
- (b) within 6 months following clearing authorised under this permit, *revegetate* and *rehabilitate* the area that are no longer required for the purpose for which they were cleared under this by:
  - (i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land; and
  - (ii) laying the vegetative material and topsoil retained under condition 9(a) on the cleared area.
- (c) within 18 months of laying the vegetative material and topsoil on the cleared area in accordance with condition 9(b) of this Permit:
  - (i) engage an *environmental specialist* to determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and
  - (ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under condition 9(c)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, *revegetate* the area by deliberately *planting* and/or *direct seeding* native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area and ensuring only *local provenance* seeds and propagating material are used.

## PART III - RECORD KEEPING AND REPORTING

### 10. Records must be kept

- (a) The Permit Holder must maintain the following records for activities done pursuant to this Permit 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 *revegetation* and *rehabilitation* of areas pursuant to condition 9 of this Permit:
  - (i) the location of any areas *revegetated* and *rehabilitated*, 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 *revegetation* and *rehabilitation* activities undertaken;
  - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares); and
  - (iv) the species composition, structure and density of *revegetation* and *rehabilitation*.

## 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 12 June 2015, 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:

**direct seeding** means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species;

**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;

**local provenance** means native vegetation seeds and propagating material from natural sources within 20 kilometres of the area cleared.

**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;

**planting** means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

**regenerate/ed/ion** means *revegetation* that can be established from in situ seed banks contained either within the topsoil or seed-bearing *mulch*;

**rehabilitate/ed/ion** means actively managing an area containing native vegetation in order to improve the ecological function of that area;

**revegetate/ed/ion** means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.

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

**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*.

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



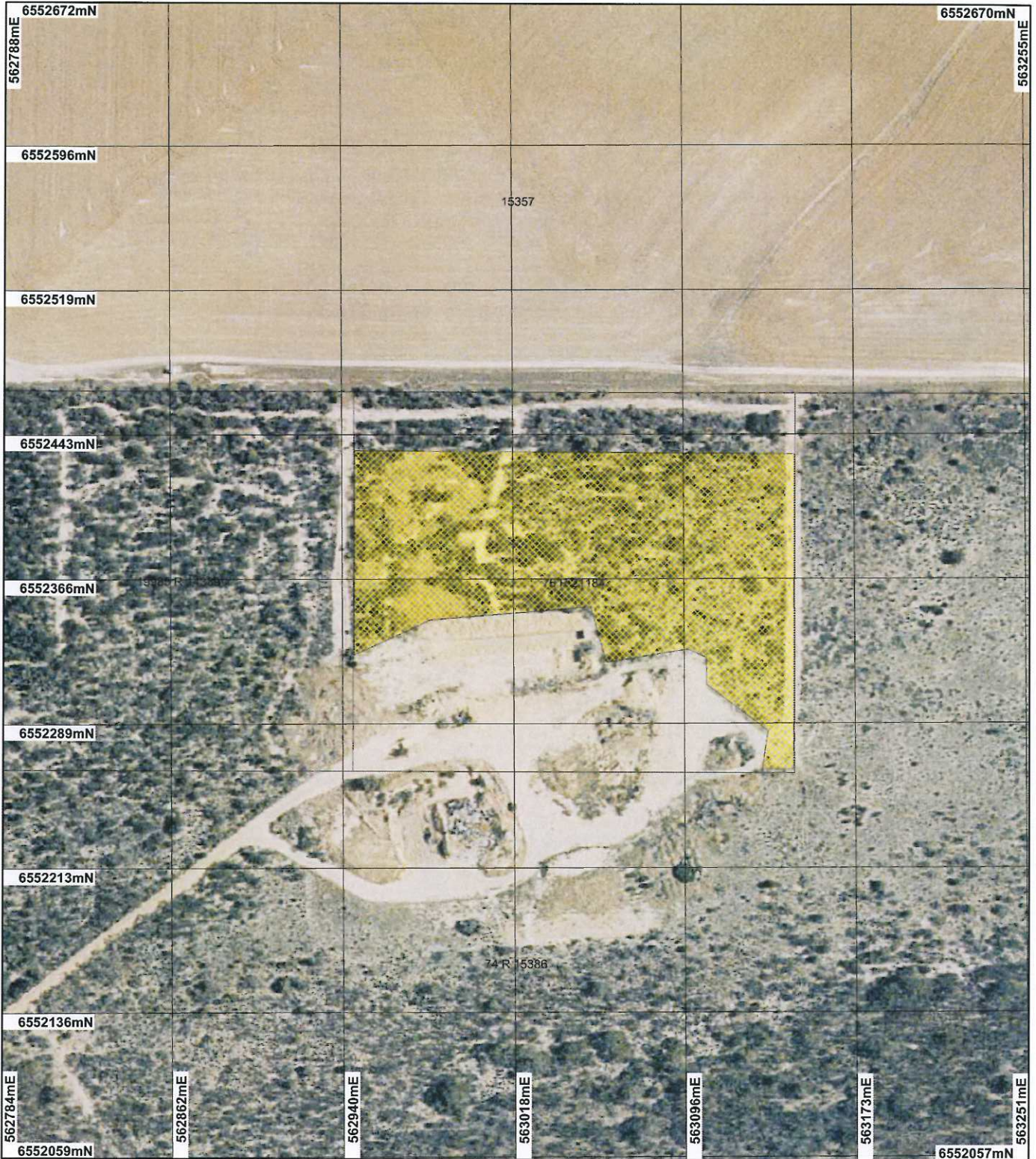
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Robert Atkins  
DEPUTY DIRECTOR GENERAL, ENVIRONMENT

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

12 August 2010

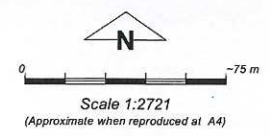
# Plan 3634/1



## LEGEND

- Cadastre for labelling
- Road Centrelines
- FW
- HY
- LRO (cont)
- LRS
- MR
- N
- TR
- Clearing Instruments**
- Areas Approved to Clear

Traying 50cm Orthomosaic - Landgate 2004



Geocentric Datum Australia 1994  
 Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

Date 12.9.10  
 R Atkins

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.



\* 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.: 3634/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Shire of Trayning

### 1.3. Property details

Property: LOT 76 ON PLAN 92416 ( YELBENI 6487)  
Local Government Area:  
Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2		Mechanical Removal	Miscellaneous

## 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: 1413: Shrublands; acacia, casuarina & melaleuca thicket.  (Shepherd 2007)	The proposal is to clear 2ha for the purpose of extending an existing rubbish tip.  Consists of Melaleuca and Acacia shrubland with a scattered York Gum (Eucalyptus loxophleba) and Gimlet (Eucalyptus salubris) overstorey in a good condition.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The vegetation condition was determined from aerial photography.

## 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 at variance to this Principle

The native vegetation under application consists of Melaleuca and Acacia shrubland with a scattered York Gum (Eucalyptus loxophleba) and Gimlet (Eucalyptus salubris) overstorey in a good (Keighery 1994) condition.

The area under application occurs within an extensively cleared and highly fragmented local landscape, and as such, it is considered that the remaining remnant vegetation under application is significant habitat for flora and fauna in the local area.

The native vegetation under application consists of Beard vegetation association that are under represented within the Avon Wheatbelt Bioregion, with Beard vegetation association 1413 having 24.7% of pre-European extent remaining (Shepherd 2007). In addition, only 8.3% of native vegetation remains in the Shire of Trayning.

Given the extensively cleared and highly fragmented nature of native vegetation within the landscape, it can be surmised that the area under application is of considerable importance, provides significant habitat for fauna and flora in the local area and comprises of a high level of biological diversity. Therefore, the proposed clearing is at variance to this Principle. To mitigate these impacts Shire of Trayning will relinquish 80% (3.2ha) of the neighbouring Shire of Trayning reserve (Reserve14339).

#### Methodology

#### References

-Keighery (1994)  
-Shepherd (2007)  
GIS Databases  
-SAC Bio Datasets (13 March 2010)

**(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 at variance to this Principle**

Five known records of conservation significant fauna species occur within the local area (20km radius) of the vegetation under application. These include the Shield Back trapdoor spider (*Idiosoma nigrum*), Tree stem Trapdoor Spider (*Aganippe castellum*), Western Spiny-tailed Skink (*Egernia stokesii badia*), Australian Bustard (*Ardeotis australis*) and the Crested Bellbird (Southern) (*Oreoica gutturalis gutturalis*).

The native vegetation under application consists of Melaleuca and Acacia shrubland with a York Gum and Gimlet overstory in good (Keighery, 1994) condition.

Aerial photography indicates that the vegetation which is proposed to be cleared occurs within a 61 ha remnant in a landscape that has been extensively cleared for agriculture, with linkages to other areas of remnant vegetation by way of vegetation occurring along roadsides, including a conservation reserve 1.6 km to the north. The proposed clearing may reduce the effectiveness of this linkage and will decrease vegetation extent in an area that is already extensively cleared.

Given the extensively cleared and highly fragmented nature of native vegetation within the landscape, it is considered that any remaining remnant vegetation in the local area is important as wildlife habitat.

As a result, this remnant is important for movement of fauna across an extensively cleared landscape and is part of a significant habitat for fauna in the local area. Therefore, the proposed clearing is at variance to this Principle. To mitigate these impacts Shire of Trayning will relinquish 80% (3.2ha) of the neighbouring Shire of Trayning reserve (Reserve14339).

**Methodology References:**

- Keighery (1994)
- GIS Databases
- SAC Bio Datasets (13 March 2010)
- Trayning 50cm Orthomosaic - Landgate 2004

**(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**

Two known records of rare flora species were identified within the local area (20 km radius), *Acacia caesariata*, recorded 350m south of the applied area and *Eremophila viscida*, within 10 km of the application area. These species occur within different vegetation and soil types as the application area.

In addition, DEC advises that the proposed clearing will not impact on rare flora (DEC 2010a). Therefore, the proposed clearing is not at variance to this Principle.

**Methodology References**

- DEC (2010a)
- GIS Databases
- SAC Bio Datasets (13 March 2010)

**(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 is no known Threatened Ecological Communities (TEC) recorded in the local area (20km radius).

As a result it is not considered likely for the proposed clearing to be at variance to this Principle.

**Methodology GIS Databases**

- SAC Bio Datasets (13 March 2010)

**(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 at variance to this Principle**

The vegetation under application is described as Beard vegetation association 1413 of which there is 24.7% of pre-European extent remaining respectively (Shepherd 2007).

The local area (20 km radius) around the application area has approximately 5.4% of pre-European vegetation remaining with only 8.3% remaining in the Shire of Trayning. In addition, only 8.04% of Beard vegetation association 1413 remains within the Shire of Trayning. Therefore, the Beard vegetation associations of the vegetation under application retains significantly less than the EPA supported threshold level (30%)

recommended in the National Objectives Targets for Biodiversity Conservation below which species loss appears to accelerate exponentially at an ecosystem level (EPA, 2000).

Also the area under application occurs within in the Avon Wheatbelt IBRA bioregion which has been extensively cleared with only 15.4% of pre-European vegetation remaining.

Given the above and that the proposed clearing occurs within a remnant that is considered to be significant habitat for conservation significant flora and fauna species, the vegetation under application is significant as a remnant of native vegetation in an area that has been extensively cleared. To mitigate these impacts Shire of Trayning will relinquish 80% (3.2ha) of the neighbouring Shire of Trayning reserve (Reserve14339).

	Pre-European (ha)	Current extent (ha)	Remaining %
IBRA Bioregion Avon Wheatbelt*	9517117	1468711	15.4*
Shire of Trayning*	165120	13729	8.3*
Local Area (~10km radius)	314700	1702.0	5.4
Beard type in Bioregion* 1413	546700.1	135261.1	24.7

\* (Shepherd 2007)

**Methodology** References  
 -EPA (2000)  
 -Shepherd (2007)  
 GIS Databases  
 -SAC Bio Datasets (18 March 2010)

**(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**  
 A non-perennial watercourse occurs ~ 200m south of the area under application. In addition two dams are located 100m south of the applied area.  
 No Wetland dependent vegetation is apparent within the applied area and therefore, it is not considered for the proposed clearing to be at variance to this Principle.

**Methodology** GIS Databases  
 -Hydrography Linear  
 -Trayning 50cm Orthomosaic - Landgate 2004

**(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 area under application contains chief soils of sandy yellow earths containing some ironstone gravels and yellow earthy sands (Northcote et al 1960-68). Given that the chief soils in the area under application are sandy, the area is susceptible to wind erosion. However, as the application area is surrounded by vegetation which may act as a wind break, the risk is thought to be minimal (Commissioner of Soil and Land Conservation 2010).  
 A report from the Commissioner of Soil and Land Conservation (2010) advised that there is a low risk of off-site and on site salinity due to the proposed clearing.  
 In addition, there are no apparent signs of salinity on site or within the immediate area (DEC 2010). Therefore, the proposed clearing is not likely to be at variance to this Principle.

**Methodology** References  
 -Commissioner of Soil and Land Conservation (2010)  
 -DEC(2010)  
 -Northcote et al (1960-68)  
 GIS Databases  
 - Salinity Risk  
 - Soils, Statewide  
 -Trayning 50cm Orthomosaic - Landgate 2004

**(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 area under application is directly adjacent to the Yelbeni Nature Reserve which is an A Class reserve for the conservation of flora and fauna.

The proposed clearing may indirectly and directly impact the conservation area by increasing edge effects such as weed invasion. This can have a significant impact on the level of biodiversity within the reserve over time if not managed. Therefore, a weed condition is to be placed on the permit if one is granted.

Therefore, it is considered that the proposed clearing may be at variance to this Principle.

**Methodology** GIS Databases  
- DEC Tenure  
- Trayning 50cm Orthomosaic - Landgate 2004

**(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**

A non-perennial watercourse occurs ~ 200m south of the area under application. In addition two dams are located 100m south of the applied area.

A report from the Commissioner of Soil and Land Conservation (2010) advised that there is a low risk of off-site and on site salinity due to the proposed clearing.

In addition, there are no apparent signs of salinity on site or within the immediate area (DEC 2010). Therefore deterioration of surface water of the nearby watercourses and dams is not considered likely.

Therefore the proposed clearing is not at variance to this Principle.

**Methodology** References  
- Commissioner of Soil and Land Conservation (2010)  
-DEC (2010)  
GIS Databases  
- Salinity Risk  
-Groundwater Salinity

**(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**

A non-perennial watercourse occurs ~ 200m south of the area under application. In addition two dams are located 100m south of the applied area.

The application area contains sandy soils and has adequate drainage (Commissioner of Soil and land Conservation) and therefore it is not likely that the proposed clearing will increase the intensity or incidence of flooding. Therefore, the proposed clearing is not at variance to this Principle.

**Methodology** References  
-Commissioner of Soil and Land Conservation (2010)  
GIS Databases  
-Hydrography Linear

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

**Comments**

The area under application is under management order to the Shire of Trayning for the purpose of sanitary and rubbish deport. An existing land fill occurs adjacent to the area under application and the Shire of Trayning wishes to expand the landfill to include the application area.

The Shire of Trayning has amended their original application of 13.6 ha within the Yelbeni Nature reserve down to 2ha within Lot 76.

It is noted that ~2.2 ha of the Yelbeni Nature Reserve have been cleared by the Shire of Trayning through the encroachment of the Shire rubbish tip over many years (DEC 2010b). However, this has occurred prior to the Environmental Protection Act (1986) clearing provisions came into effect. The clearing within the Yelbeni Nature Reserve is a separate matter to this clearing permit. The Shire of Trayning have been in discussions with DEC



Wheatbelt Region in relation to this matter and propose to swap Crown Reserve 11214, an unvested 64ha reserve located close to the Yelbeni Nature Reserve, for the ~ 2.2ha portion of Yelbeni Nature Reserve that has been inadvertently cleared. Part of the land swap proposal will be for the Shire to obtain approval from the Department of Planning and Infrastructure to have reserve 11214 vested with the Shire of Trayning, after which it will be vested with the Conservation Commission of Western Australia (CCWA) as a Class A Nature Reserve (DEC 2010b).

**Methodology**    References  
                          -DEC (2010b)  
                          GIS Databsets  
                          -Native Title

#### 4. References

Commissioner of Soil and Land Conservation (2010) Land Degradation Report and Letter from Commissioner of Soil and Land Conservation for amended clearing application CPS 3634/1. Department of Agriculture and Food WA. DEC ref 311241

DEC (2010) Regional Advice and Site Inspection Report for Clearing Permit Application CPS 3634/1, Yelbeni Nature Reserve, Reserve number 15386 Yelbeni. Site inspection undertaken 9/04/2010. Department of Environment and Conservation, Western Australia (DEC Ref. A299863).

DEC (2010a) Regional Advice for amended Clearing Permit Application CPS 3634/1. Wheatbelt Region, Department of Environment and Conservation, Western Australia (DEC Ref. A311269).

DEC (2010b) Memo granting authority for CPS 3634/1 clearing application to be assessed. Wheatbelt Region, DEC. Department of Environment and Conservation, Western Australia (DEC Ref. DOC124024).

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.

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.

#### 5. Glossary

Term	Meaning
CALM	Department of Conservation and Land Management (now DEC)
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)
DoW	Department of Water
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)