



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 3782/1

File Number: 2010/003942-1

Duration of Permit: From 15 August 2010 to 15 August 2012

PERMIT HOLDER

Elders Forestry Management Ltd

LAND ON WHICH CLEARING IS TO BE DONE

LOT 300 ON DEPOSITED PLAN 33675 (TINDALE ROAD, BOW BRIDGE 6333)

LOT 301 ON DEPOSITED PLAN 33675 (DUDLEY ROAD, KENTDALE 6333)

LOT 2417 ON DEPOSITED PLAN 137511 (TINDALE ROAD, KENTDALE 6333)

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 34 native trees within the combined areas shaded yellow on attached Plan 3782/1a and Plan 3782/1b and Plan 3782/1c.

CONDITIONS

Nil.

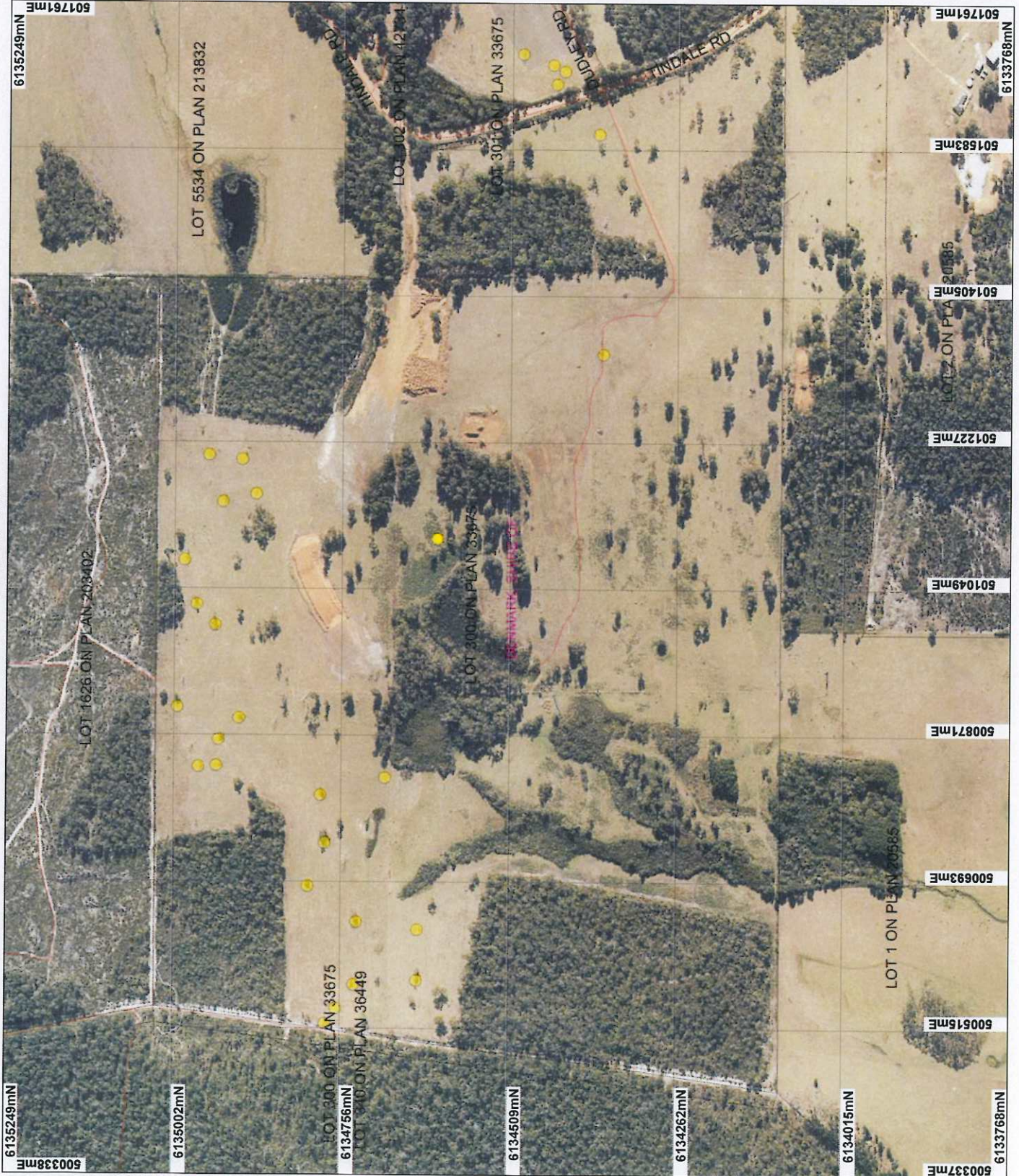
A handwritten signature in black ink, appearing to read "Matthew Warnock", written over a horizontal line.

MATTHEW WARNOCK
ACTING MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

15 July 2010

Plan 3782/1a



LEGEND

- Clearing Requirements**
- Areas Approved to Clear
 - Road Centrelines
 - Cadastre, 1
 - Denmark 50cm Ortho 2007
 - Local Government



0 200 m

Scale 1:7000
(Approximate when reproduced at A4)

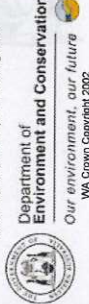
Geocentric Datum Australia 1994

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

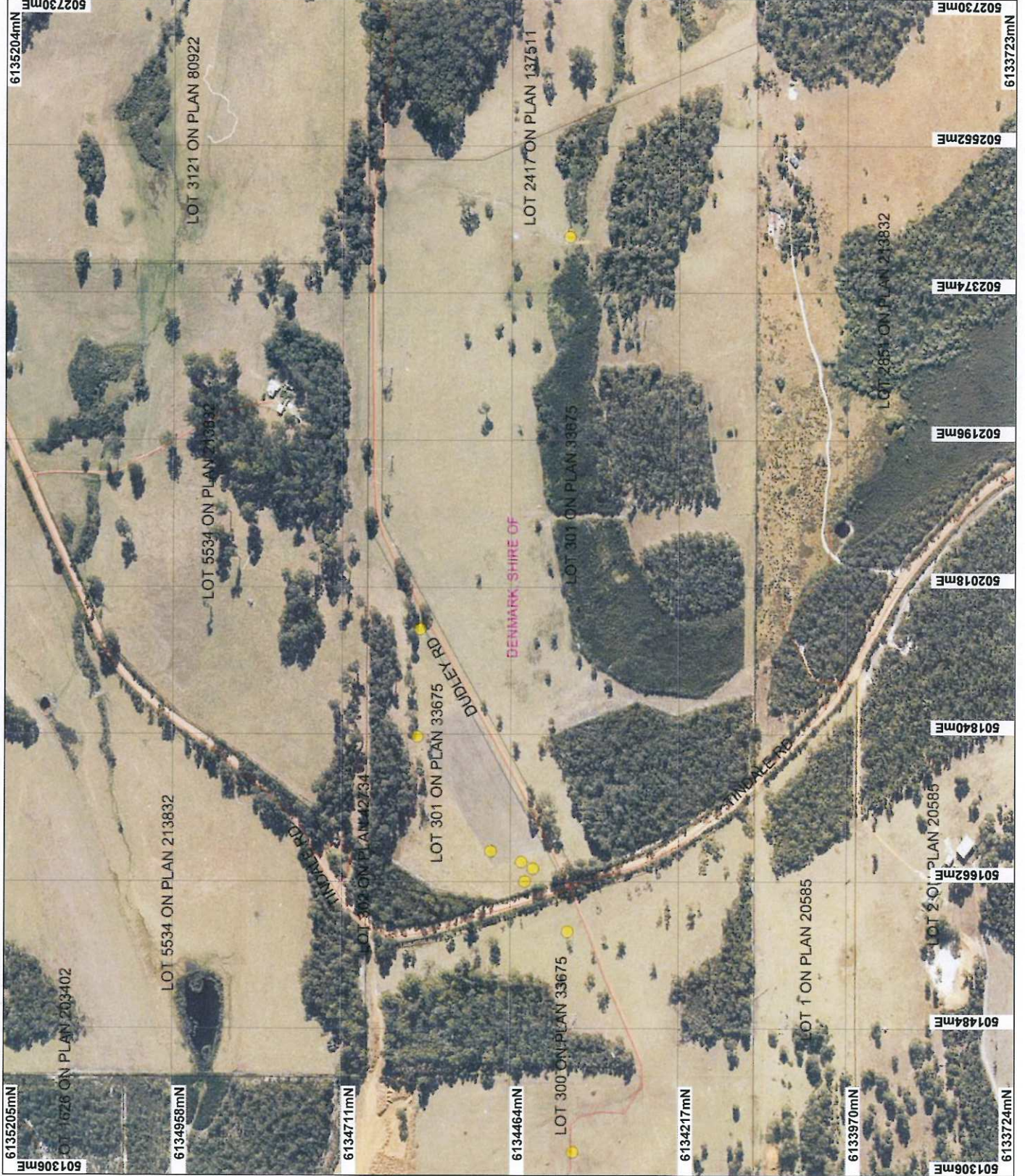
M Warnock Date 15/7/10

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.



Plan 3782/1b



- LEGEND**
- Areas Approved to Clear
 - Road Centrelines
 - Cadastral 1
 - Denmark 50cm Orth 2007
 - Local Government 1



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

Date 15/7/10

M Warnock
 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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Plan 3782/1c



LEGEND

- Clearing Worksheet**
- Areas Approved to Clear
 - Road Centrelines
 - Cadastre_1
 - Denmark 50cm Orth 2007
 - Local Government



0 100 200 m

Scale 1:7000
(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.

M Warnock 15/7/10
M Warnock

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.: 3782/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Elders Forestry Management Limited

1.3. Property details

Property: LOT 300 ON PLAN 33675 (Lot No. 300 TINDALE BOW BRIDGE 6333)
LOT 301 ON PLAN 33675 (Lot No. 301 DUDLEY KENTDALE 6333)
LOT 301 ON PLAN 33675 (Lot No. 301 DUDLEY KENTDALE 6333)
LOT 2417 ON PLAN 137511 (House No. 264 TINDALE KENTDALE 6333)

Local Government Area:
Colloquial name:

1.4. Application

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

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: 3 - Medium forest; jarrah-marri (Hopkins et al, 2001).	The vegetation under application consists of 34 dead or dying paddock trees over non-native pasture grasses. The trees are proposed to be cleared for the purpose of removing hazardous trees within a Eucalyptus globulus plantation development.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	The condition of the vegetation was confirmed through photographs of the trees submitted with the application to clear, from a brief DEC site visit undertaken on the 6th July 2010 and from aerial photography (Denmark 50cm Orthomosaic - Landgate 2007) (DEC, 2010a & Elders Forestry Management Limited 2010).
Mattiske Vegetation Complexes: Ds (Dempster) - Low woodland of Eucalyptus marginata subsp. marginata-Corymbia calophylla-Eucalyptus staeri on small hills of siltstone plateau in the perhumid zone. Dc1 (Dempster 1) - Woodland of Eucalyptus marginata subsp. marginata-Corymbia calophylla-Allocasuarina fraseriana with Eucalyptus staeri on low hills formed by dissection of siltstone plateau in the perhumid zone. F (Fernley) - Mixture of woodland of Eucalyptus megacarpa, woodland of Eucalyptus patens, tall shrubland of Myrtaceae spp. with some sedgeland of Anarthria spp. on broad	As above.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	As above.

plains in hyperhumid and perhumid zones.

S1 (Granite Valleys) - Tall open forest of *Eucalyptus diversicolor*-*Corymbia calophylla* on slopes with some *Eucalyptus patens* and *Eucalyptus megacarpa* on valley floors in hyperhumid and perhumid zones. (Mattiske & Havel, 1998).

3. Assessment of application against clearing principles

Comments

The vegetation under application comprises clearing 34 dead or dying paddock trees for the purpose of hazard reduction for a plantation development (DEC, 2010a & Elders Forestry Management Limited, 2010).

There is one record of rare fauna, the Sunset Frog (*Spicospina flammocaerulea*) recorded on the same property as the proposed clearing (DEC, 2010b), approximately 315m from the closest tree. This species is listed as Endangered under the Environment Protection and Biodiversity Conservation Act 1999 and Vulnerable under the Wildlife Conservation Act 1950 and inhabits permanently moist peat-based swamps (Frogs Australia Network, 2005) and the "peat-based swamps within headwaters of first order streams or perched swamps in areas with diffuse drainage" (Burbidge & Roberts, 2002). The clearing of the 34 dead trees however, is not likely to impact upon the habitat of this species.

Two of the trees may have hollows providing suitable habitat for indigenous fauna however, greater than 50% of the local area is vegetated, including Mt Roe National Park approximately 40m from the applied clearing area, and therefore the trees are not considered significant as fauna habitat or as a remnant in an extensively cleared area.

As the vegetation under application is not representative of mapped vegetation associations and complexes, the applied clearing area comprises isolated paddock trees with the understorey consisting of non-native pasture grasses, it is unlikely that any flora of conservation significance, threatened ecological communities and priority ecological communities occur within the applied area.

Given the 'completely degraded' (Keighery, 1994) condition (DEC, 2010a & Elders Forestry Management Limited, 2010) of the vegetation under application it is concluded that the proposed clearing is unlikely to be at variance to any of the clearing principles.

Methodology

References:

- Burbidge & Roberts (2002)
- DEC (2010a)
- DEC (2010b)
- Elders Forestry Management Limited (2010)
- Frogs Australia Network (2005)
- Keighery (1994)

GIS Databases:

- DEC Tenure - DEC
- Denmark 50cm Orthomosaic - Landgate 2007
- Hydrography, linear - DoW
- Hydrography, linear (hierarchy) - DoW
- NLWRA, Current Extent of Native Vegetation - DA & CALM
- Register of National Estate - EA
- SAC Biodatasets - Accessed 6/7/2010

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

Comments

The properties are zoned 'Rural' under the Town Planning Scheme.

The Shire of Denmark (2010) advised that the "clearing of 34 trees as detailed does not contravene the Shire's Policy 9.1 - Private Tree Plantations" however, the "applicant is required to comply with the conditions of Council's recent planning consent decision (ref 108/2010)" in relation to the "wider plantation operation." The clearing of the trees under application, does not contradict the conditions of the planning consent for the plantation.

The Department of Environment and Conservation (DEC) provided comment to the Shire on the application for the plantation development. DEC advised that there should be no impact upon the adjoining Mt Roe National Park from establishment operations and the remaining remnant vegetation on the properties proposed for development is of high value and the protection and retention of this vegetation is recommended (DEC, 2010b).

DEC also advised that there is to be no chemicals used within 50 metres of any creeks feeding any surface water linkages between the plantation and the Sunset frog habitat and aerial application of chemicals and fertilisers is not recommended due to risk of spray drift impacting frog populations (DEC, 2010b). Due to the Sunset frog being listed for protection under both State and Commonwealth legislation, the applicant has been advised that any operations that are likely to impact upon this species may require Ministerial or Commonwealth approval (DEC, 2010b & Shire of Denmark, 2010).

One submission was received, dated 28 June 2010, advising that there were no objections to the granting of a permit for these trees due to them being isolated and dead or dying with no understorey growing in association with them (Submission, 2010).

Methodology

References:

- DEC (2010b)
 - Shire of Denmark (2010)
 - Submission (2010)
- GIS Databases:
- Local Government Authorities - DOLA
 - Town Planning Scheme Zones - MFP
 - SAC Biodatasets - Accessed 6/7/2010

4. References

Burbidge, A.A. & Roberts, J.D. (2002) Wildlife Management Program No. 35 - Sunset Frog Recovery Plan July 2001 - June 2006. Department of Conservation and Land Management, Western Australian Threatened Species and Communities Unit, Wanneroo, Western Australia.

DEC (2010a) Regional Advice, CPS 3782/1 - Elders Forestry Management Limited - Lot 300 on Plan 33675, Bow Bridge and Lots 301 on Plan 33675 and Lot 2417 on Plan 137511, Kentdale. Warren Region, Department of Environment and Conservation, Manjimup, Western Australia. DEC ref A316093.

DEC (2010b) Advice to Shire of Denmark for Application for a Eucalyptus globulus plantation. Subject: Lots 300, 301 Tindale Road and 2417 Dudley Road - Denmark. Warren Region, Department of Environment and Conservation, Manjimup, Western Australia. DEC ref A316093.

Elders Forestry Management Limited (2010) Application for a clearing permit (area permit) - Lot 300 on Deposited Plan 33675 Tindale Road, Bow Bridge, Lot 201 on Deposited Plan 33675 Dudley Road, Kentdale and Lot 2417 on Deposited Plan 137511 Tindale Road, Kentdale. Elders Forestry Management Limited, Albany, Western Australia. DEC ref A308567 & A308568.

Frogs Australia Network (2005) Australian Frog Database, Accessed 9 July 2010. Zoos Victoria, Australia. (http://www.frogsaustralia.net.au/frogs/display.cfm?frog_id=86).

Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Mattiske, E.M. and Havel, J.J. (1998) Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment Australia.

Shire of Denmark (2010) Application to clear native vegetation under the Environmental Protection Act 1986 - Elders Forestry Management Limited - Lot 300 Tindale Road, Lot 301 Dudley Road, Lot 2417 Tindale Road. Shire of Denmark, Denmark, Western Australia. DEC ref A314178.

Submission (2010) Clearing Permit Application CPS 3782/1, Elders Forestry Management Limited. 28 June 2010. DEC ref A313537.

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)