



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 3945/1
Permit Holder:	Shire of Northampton
Duration of Permit:	4 December 2010 – 4 December 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 realignment and road drainage.

2. Land on which clearing is to be done

Northampton-Nabawa Road Reserve; Unallocated Crown Land (East Bowes 6535)

3. Area of Clearing

The Permit Holder must not clear more than 0.34 hectares of native vegetation within the area shaded yellow on attached Plan 3945/1.

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:

- (a) avoid the clearing of native vegetation;
- (b) minimise the amount of native vegetation to be cleared; and
- (c) 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.

PART III - RECORD KEEPING AND REPORTING

9. Records must be kept

The Permit Holder must maintain the following record in relation to the clearing of native vegetation authorised under this Permit:

- (a) 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;
- (b) the date that the area was cleared; and
- (c) the size of the area cleared (in hectares).

10. Reporting

- (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
- (i) of record required under condition 9 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 4 September 2015, the Permit Holder must provide to the CEO a written report of record required under condition 9 of this Permit where this record has not already been provided under condition 10(a) of this Permit.

Definitions

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

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;

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*.

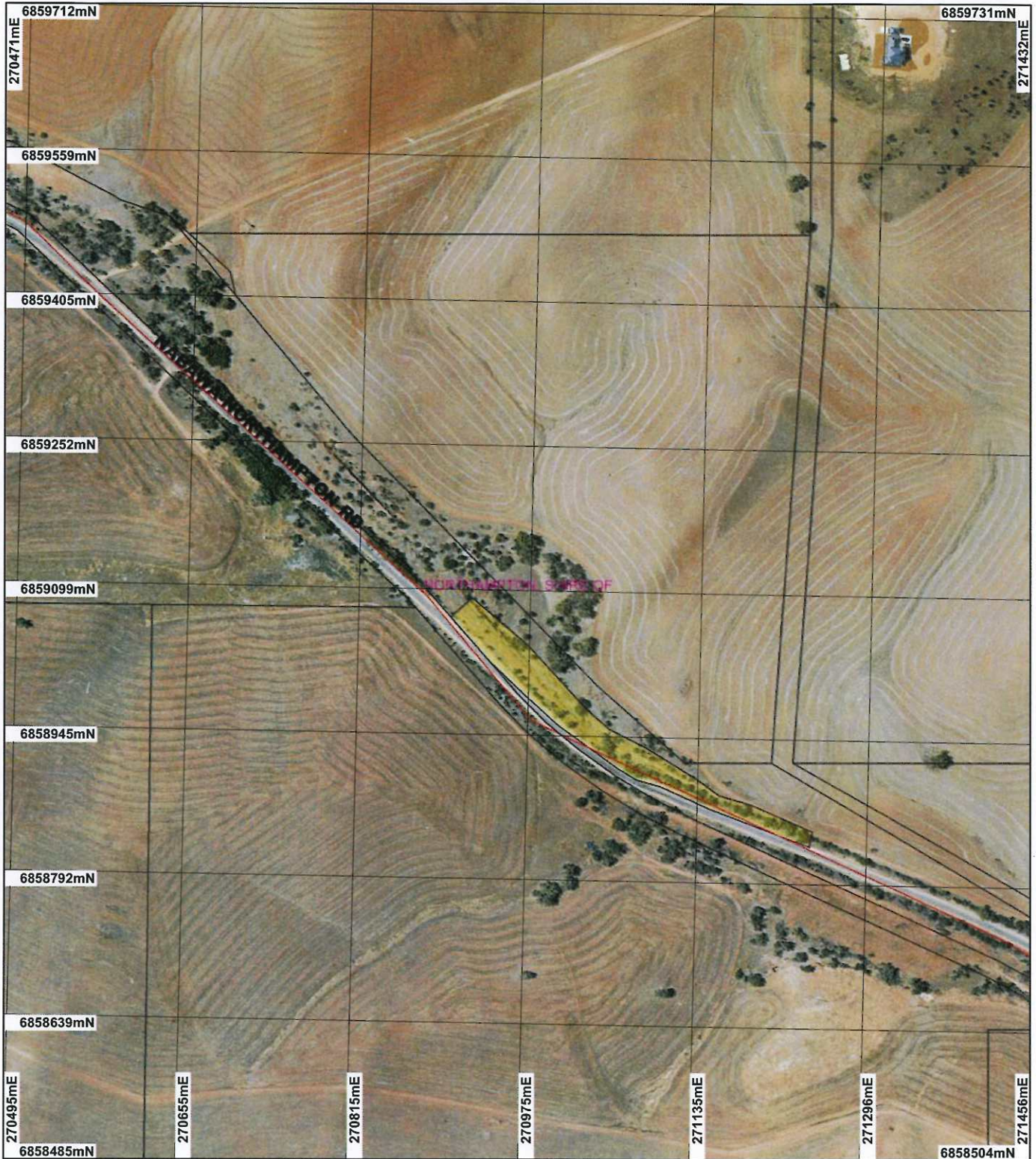


Matthew Warnock
ACTING MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

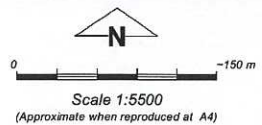
4 November 2010

Plan 3945/1



LEGEND

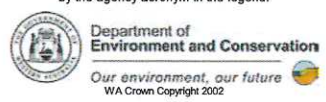
- | | |
|-----------------------------|--|
| Clearing Instruments | Local Government Authorities |
| Areas Applied to Clear | Northampton 50cm Orthomosaic - Landgate 2006 |
| Areas Subject to Conditions | |
| Areas Approved to Clear | |
| Road Centrelines | |
| Cadastral | |



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 *4/11/10*
 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.



* 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.: 3945/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Shire of Northampton

1.3. Property details

Property: UNALLOCATED CROWN LAND (EAST BOWES 6535)
Local Government Area:
Colloquial name: Nabawa-Northampton Road, East Bowes

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 04 November 2010

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
The vegetation under application is mapped as Beard vegetation type: 35 - Shrublands; jam scrub with scattered York gum (Hopkins et al 2001; Shepherd 2009)	The clearing proposal is to facilitate road realignment and road drainage within Nabawa-Northampton Road Reserve, East Bowes (0.34 ha) in the Shire of Northampton. The vegetation can be described as <i>Acacia acuminata</i> over wild oats and other weeds with few <i>Eucalyptus camaldulensis</i> trees.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The vegetation description and condition was determined via site visit conducted in October (DEC 2010).

3. Assessment of application against clearing principles

Comments

The clearing proposal of 0.34 ha of native vegetation is to facilitate road realignment and road drainage within Nabawa-Northampton Road, East Bowes. The proposed clearing is limited to the northern side of the road reserve and will involve the clearing of a few *Eucalyptus camaldulensis* trees. The vegetation under application is described as *Acacia acuminata* over wild oats and other weeds with a few *Eucalyptus camaldulensis* trees, considered to be in degraded (Keighery 1994) condition (DEC 2010).

The vegetation under application is described as Beard vegetation type 35, of which there is 17% pre-European extent remaining (Shepherd 2009). 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).

The vegetation type retains less than the minimum of 30% and the local area (10 km radius) has approximately 10% native vegetation remaining, considered to be extensively cleared. Therefore, any remaining vegetation is important in providing habitat and maintaining fauna movement and migration across the local landscape. Also, *E. camaldulensis* may provide roosting habitat for the Brush-tail Possum; the babbler may utilise the areas as corridors and trapdoor spider may occur, even though the vegetation is degraded (Keighery 1994).

Given the vegetation under application is located within an extensively cleared local landscape it may comprises significant habitat values for native fauna and be significant as a remnant. Therefore, the clearing proposal may be at variance to Principles (b) and (d).

It is noted road drainage shall be incorporated in the road realignment and given the long and linear nature of the clearing, which is to occur within only on the northern side, it is considered that the impacts are not likely to result in deterioration in the quality of surface or ground water or lead to appreciable land degradation. Also, given the limited native species and the dominance of weeds, it is considered the vegetation under application

is not likely to support high diversity values, rare flora or threatened ecological communities. Therefore, the clearing proposal is not likely to be at variance to the remaining Principles.

- Methodology** References:
- Commonwealth of Australia (2001)
 - DEC (2010)
 - Keighery (1994)
 - Shepherd (2009)
- GIS Database
- Interim Biogeographic Regionalisation of Australia
 - NLWRA, Current Extent of Native Vegetation
 - Pre-European Vegetation
 - SAC Bio Databases (08/10/2009)

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

Comments

The original proposal was to clear 14.9 ha of native vegetation to facilitate road realignment and road drainage within four road reserves in the Shire of Northampton. The four roads were Chilimony Road, Ogilvie (6 ha); Horrocks Road, Sandy Gully (8 ha); Nabawa-Northampton Road, East Bowes (0.6 ha); and unnamed road reserve, Isseka (0.3 ha).

In a letter dated 21 October 2010, DEC outlined the issues identified during the assessment. On 1 November 2010, the Shire of Northampton amended the application to remove Chilimony Road, Horrocks Road, and unnamed road reserve.

The vegetation under application is located in the area defined in EPA Position Statement No. 2 (EPA 2000). EPA Position Statement No. 2 states that clearing should not compromise any vegetation type by taking it below the threshold level of 30%; however, where this occurs EPA expects alternative mechanisms to be put forward to protect biodiversity (EPA, 2000). In exceptional circumstances the EPA would consider supporting clearing for agriculture within this region if:

- (a) There are alternative mechanisms for protecting biodiversity.
- (b) The area to be cleared is relatively small, depending on the scale at which biodiversity changes over the area, including extent of vegetation in the surrounding area and recognising that values will vary for different ecosystems.
- (c) The proponent demonstrates that the elements set out in Section 4.3 of this Position Statement are being met. This will require extensive local and regional biodiversity work.
- (d) Land degradation, including aquatic environments and threatening processes, such as dieback, salinisation or disruption of catchment processes, on-site and off-site would not be exacerbated.

There is no RIWI Act Licence or EP Act Licence that affects the area under application.

- Methodology** Reference
- The Nabawa-Northampton Road is within unallocated Crown Land in the Shire of Northampton.
- EPA (2000)
- GIS database
- Cadastre

4. References

- DEC (2010) Regional Site Inspection Information for Clearing Permit Application CPS 3945/1 Chilimony Road, Ogilvie; Horrocks Road, Sandy Gully; Nabawa-Northampton Road, East Bowes; and unnamed road reserve Isseka (Email); Site Inspection Conducted October 2010; Department of Environment and Conservation. DEC Ref A340737
- 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.
- 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.
- Shepherd, D.P. (2009) 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
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
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DEC)