



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number: CPS 4105/1
Permit Holder: Mr Rupert Charles Brian Phillips
Duration of Permit: 7 March 2011 – 7 March 2016

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 *apiary site* maintenance.

2. Land on which clearing is to be done

<i>Apiary site no.</i>	Local Government	Land tenure	Latitude	Longitude
3742	Boddington	Timber Reserve 148/25 - CCWA	-32.95518	116.47593
5186	Coorow	Beekeepers Nature Reserve - CCWA	-29.98140	114.99008
3737	Coorow	Land Administration Act - Unallocated Crown Land (UCL)	-30.15487	115.72287
3736	Coorow	Land Administration Act - Unallocated Crown Land (UCL)	-30.16325	115.69079
3728	Manjimup	State Forest 59 (within Walpole Wilderness Area) - CCWA - Mt Frankland North National Park	-34.71296	116.65795
3731	Manjimup	Mt Frankland National Park / Walpole Wilderness Area - CCWA	-34.69018	116.55033
3732	Manjimup	Mt Frankland National Park / Walpole Wilderness Area - CCWA	-34.69089	116.59286
4359	Toodyay	Moodyne Nature Reserve - CCWA	-31.54961	116.24165
3738	Wandering	Timber Reserve 146/25 - CCWA	-32.52415	116.53075
2301	Wandering	Youraling State Forest 67 - CCWA	-32.52100	116.41234
3733	Wandering	Monadnocks Conservation Park - CCWA	-32.30877	116.22846
3740	Wandering	Jarrahdale State Forest 22 - CCWA	-32.29460	116.27711
3734	Wandering	Jarrahdale State Forest 22 - CCWA	-32.30790	116.25502
3735	Wandering	Jarrahdale State Forest 22 - CCWA	-32.34354	116.30069
1448	Wanneroo	Gnangara-Moore River State Forest 65 - CCWA	-31.58907	115.80938
1449	Wanneroo	Gnangara-Moore River State Forest 65 - CCWA	-31.61784	115.82340

461	Yilgarn	Land Administration Act pastoral lease - PLB	-30.96896	119.55759
460	Yilgarn	Land Administration Act pastoral lease - PLB	-30.95015	119.53517
4048	York	Wandoo National Park - CCWA	-31.97612	116.59605
3406	York	Wandoo National Park - CCWA	-31.92804	116.57755

3. Area of clearing

- (a) The Permit Holder must not clear more than 1 hectare of native vegetation in total.
- (b) The Permit Holder must not clear more than 0.05 hectare for each of the *apiary sites* described in condition 2 of this Permit.
- (c) The clearing described in condition 3(a) of this Permit may only occur within a 2,000 metre radius of the coordinates of each *apiary sites* described in condition 2 of this Permit, subject to the Permit Holder having the power to clear native vegetation for those activities under any written law.

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 within *apiary sites* described in conditions 2 and 3 of this Permit to the extent of activities permitted under an authority granted to the Permit Holder under Part 8A of the Conservation and Land Management Regulations 2002 to the *CALM Act*.

6. Clearing not authorised

This Permit does not authorise the Permit Holder to clear trees that have a diameter, at average adult human chest height, of 10cm or greater.

7. 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

8. 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:

- (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.

9. Method of clearing

- (a) The Permit Holder must comply with the directions of the relevant District Apiary Officer of the Department of Environment and Conservation prior to undertaking clearing within *apiary sites* described in conditions 2 and 3 of this Permit.
- (b) The permit holder may only clear native vegetation using minimal impact methods, such as hand mowers or raking.

10. Dieback and weed control

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*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) shall only move soils in *dry conditions*;
- (c) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

PART III – RECORD KEEPING AND REPORTING

11. Records must be kept

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

- (a) the species composition, structure and density of the cleared area;
- (b) 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 and/or decimal degrees;
- (c) the date that the area was cleared; and
- (d) the size of the area cleared (in hectares).

12. Reporting

- (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
 - (i) of records required under condition 11 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 7 December 2015, the Permit Holder must provide to the CEO a written report of records required under condition 11 of this Permit where these records have not already been provided under condition 12(a) of this Permit.

Definitions

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

apiary site/s means means the land specified in an apiary authority as the land to which an apiary licence granted under Part VIII Division 2 of the *CALM Act*, or an apiary permit granted under Part VIII Division 1 of the *CALM Act*, relates;

CALM Act means the *Conservation and Land Management Act 1984*;

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

dry conditions means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

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/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*.



Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

10 February 2011



1. Application details

1.1. Permit application details

Permit application No.: 4105/1
 Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Rupert Charles Brian Phillips The House of Honey and The Sticky Spoon

1.3. Property details

Property: DOLA_LAND_DESCRIPTION
 Local Government Area: LGA
 Colloquial name: COLLOQUIAL_NAME

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1		Cutting	Miscellaneous

1.5. Decision on application

Decision on Permit Application: Grant
 Decision Date: 27 January 2011

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
<p>The areas under application is mapped as the following J.S. Beard (1980) vegetation types.</p> <ul style="list-style-type: none"> - Beard 3 being Jarrah and Marri forest, with about 69% pre-European extent remaining in the Jarrah Forest bioregion in 2009. - Beard 4 being Marri and Wandoo woodland, with about 30% pre-European extent remaining in the Jarrah Forest bioregion in 2009. - Beard 141 being York Gum, Salmon Gum and Gimlet woodland, with about 97% pre-European extent remaining in the Coolgardie bioregion in 2009. - Beard 949 being Banksia woodland, with about 58% pre-European extent remaining in the Swan Coastal Plain bioregion in 2009. - Beard 968 being Jarrah, Marri and Wandoo woodland, with about 51% pre-European extent remaining in the Jarrah Forest bioregion in 2009. 	<p>The proposed clearing impacts a variety of vegetation associations.</p>	<p>Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)</p>	<p>The proposed clearing impacts approximately 0.05 hectare of regrowth within each of 20 apiary sites.</p>

- Beard 1026 being Acacia and Melaleuca shrublands, with about 92% pre-European extent remaining in the Geraldton Sandplains bioregion in 2009.

- Beard 1031 being shrublands and scrub-heath, with about 34% pre-European extent remaining in the Geraldton Sandplains bioregion and 19% remaining in the Swan Coastal Plain bioregion in 2009.

- Beard 1112 being Jarrah, Marri and Karri forest, with about 93% pre-European extent remaining in the Warren bioregion in 2009.

- Beard 1144 being Marri and Karri forest, with about 79% pre-European extent remaining in the Warren bioregion in 2009.

3. Assessment of application against clearing principles

Comments

This application is for the proposed clearing of approximately 1 hectare of native vegetation across 20 sites within Crown lands within the local government areas of Boddington, Coorow, Manjimup, Toodyay, Wandering, Wanneroo, Yilgarn and York for the purpose of apiary site maintenance. The apiary sites are located within areas previously cleared for other purposes, and are authorised under the Conservation and Land Management Act 1984. The proposal affects approximately 0.05 hectare of regrowth within each apiary site. Assessment of a 10 kilometre radius around coordinates provided for each apiary site was undertaken.

Two of the apiary sites are located within a vegetation association that has about 30% of its pre-clearing extent remaining in the bioregion. One of the apiary sites is located about 600 metres from priority flora. One of the apiary sites is located about 3.3 kilometres from a priority ecological community. Given that the apiary sites are located within previously cleared areas, the small scale of the proposed clearing within each apiary site is not expected to have an impact on biological diversity. It is considered that the proposed clearing is not likely to be at variance with principle (a).

All of the apiary sites are likely to include habitat for indigenous fauna (including species of conservation significance), as they are located adjacent areas that generally contain extensive native vegetation cover. Given that the apiary sites are located within previously cleared areas, the small scale of the proposed clearing within each apiary site is not expected to have an impact on significant fauna habitat. It is considered that the proposed clearing is not likely to be at variance with principle (b).

One of the apiary sites is located about 1.2 kilometres from declared rare flora. It is considered that the proposed clearing may be at variance with principle (c), however given the small scale of the proposed clearing the impacts are likely to be minimal.

The nearest occurrence of a threatened ecological community (TEC) to one of the apiary sites is about 6.4 kilometres. Given that the apiary sites are located within previously cleared areas, the small scale of the proposed clearing within each apiary site is not expected to have an impact on the survival of TECs. It is considered that the proposed clearing is not likely to be at variance with principle (d).

All of the apiary sites are located adjacent areas that generally contain extensive native vegetation cover. Given that the apiary sites are located within previously cleared areas, the small scale of the proposed clearing within each apiary site is not expected to have an impact on native vegetation in areas that are extensively cleared. It is considered that the proposed clearing is not likely to be at variance with principle (e).

Three of the apiary sites are located within 50 metres of watercourses. The proposed clearing within these apiary sites may include vegetation growing in association with a watercourse. It is considered that the proposed clearing may be at variance with principle (f), however given the small scale of the proposed clearing the impacts are likely to be minimal.

The apiary sites contain a variety of soil types including leached sands, leached sands over ironstone gravels, shallow calcareous sands, laterite ironstone gravels, gypseous and saline loams with grey-brown highly calcareous earths, hard acidic yellow mottled soils, and sandy neutral or acidic yellow or yellow mottled soils. Given that the apiary sites are located within previously cleared areas, the small scale of the proposed clearing within each apiary site is not expected to cause appreciable land degradation. It is considered that the proposed clearing is not likely to be at variance with principle (g).

Fifteen of the apiary sites are located within DEC-managed estate. Two of the apiary sites are located within Bush Forever sites. Given that the apiary sites are located within previously cleared areas, the small scale of the proposed clearing within each apiary site is not expected to have an impact on the environmental values of conservation areas. It is considered that the proposed clearing is not likely to be at variance with principle (h).

Six of the apiary sites are located within 200 metres of watercourses within Public Drinking Water Supply Areas (PDWSAs). The standard apiary site conditions state that apiary sites should be located a minimum distance of 200 metres from watercourses within PDWSAs (DEC 2007). Given that the apiary sites are located within previously cleared areas, the small scale of the proposed clearing within each apiary site is not expected to have an impact on the quality of surface or underground water. It is considered that the proposed clearing is not likely to be at variance with principle (i).

Given that the apiary sites are located within previously cleared areas, the small scale of the proposed clearing within each apiary site is not expected to have an impact on the incidence or intensity of flooding. It is considered that the proposed clearing is not likely to be at variance with principle (j).

Methodology

References

- Keighery 1994
- Northcote 1960-68
- DEC 2007
- GIS datasets
- Heddle Vegetation
- Interim Biogeographic Regionalisation of Australia
- Pre-European Vegetation
- Geomorphic Wetlands (Mgt Categories), Swan Coastal Plain
- Hydrography, linear (hierarchy) - DoW 2006
- Hydrographic Catchments - Subcatchments
- Public Drinking Water Source Areas - DOW 2006
- Soils, Statewide
- DEC Managed Lands and Waters
- SAC biodatasets (accessed 04/01/11)

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

Comments

A submission was received objecting to the use of Crown lands for apiary sites on the grounds that sites should be located on private land, that introduced bees pose a risk to native species, and that Dieback hygiene is not mandatory (DEC ref. A359481). These issues are largely outside the scope of DEC's assessment of the impacts of proposed clearing. However DEC recognises that the Beekeeper's Code of Practice (currently in preparation) and the Standard Apiary Site Conditions address the issues raised in the submission.

Submissions were received from the Shire of Boddington (DEC ref. A360835), Shire of Yilgarn (DEC ref. A362211), and Shire of Wandering (DEC ref. A362340). No issues were raised.

Three of the apiary sites are located within Aboriginal Sites of Significance, a further one is within 200 metres of an Aboriginal Site of Significance. The applicant should ensure compliance with any obligations under the Aboriginal Heritage Act 1972.

Eleven of the apiary sites are located within PDWSAs, and six of these are within 200 metres of watercourses. Nine of the apiary sites are located within Rights in Water and Irrigation Act 1914 areas, and four of these are within 200 metres of watercourses. One of the apiary sites is located within a Country Areas Water Supply Act 1947 area, and is within 200 metres of a watercourse. The applicant should ensure compliance with any Department of Water requirements.

In relation to the proximity of apiary sites to declared rare flora, there may be requirements under the Wildlife Conservation Act 1950 and/or the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. The applicant should ensure compliance with any requirements under this legislation.

Methodology

GIS databases:

- Aboriginal Sites of Significance
- Hydrographic Catchments - Subcatchments
- CAWS Act, Clearing Control Catchments - DOW 2006
- Public Drinking Water Source Areas - DOW 2006

- RIWI Act, Rivers - DOW 1999
- RIWI Act, Areas - DOW 2002
- RIWI Act, Groundwater Areas - DOW 1998

4. References

- DEC (2007) Standard Apiary Site Conditions. Department of Environment and Conservation, Kensington.
- DEC / DAFWA (2009) CAR Reserve Analysis spreadsheet. 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.
- Department of Agriculture (2002). Soil Groups of Western Australia. A simple guide to the main soils of Western Australia. Resource Management Technical Report 246. Edition 3.
- Hedde, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. In 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.

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
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)