



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 4197/1

File Number: DEC13282

Duration of Permit: From 4 April 2011 to 4 April 2013

PERMIT HOLDER

Shire of West Arthur

LAND ON WHICH CLEARING IS TO BE DONE

Darkan Townsite Lot 295 (House No. 2 MOODIARRUP, DARKAN 6392)

AUTHORISED ACTIVITY

Clearing of 1 native tree within the area hatched yellow on attached Plan 4197/1.

CONDITIONS

Nil.

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

Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

10 March 2011

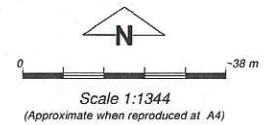
Plan 4197/1



LEGEND

- Cadastre Clearing Instruments
- Areas Approved to Clear
- Local Government Authorities
- Road Centrelines

Darkan 50cm Orthomosaic - Landgate 2006



Geocentric Datum Australia 1994

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

Date 10/3/04
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.



Department of Environment and Conservation

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1. Application details

1.1. Permit application details

Permit application No.: 4197/1

Permit type: Area Permit

1.2. Proponent details

Proponent's name: Shire of West Arthur

1.3. Property details

Property: DARKAN TOWNSITE LOT 295 (House No. 2 MOODIARRUP DARKAN 6392)

Local Government Area: Shire of West Arthur

Colloquial name:

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 10 March 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
Beard vegetation association: 6772: Eucalyptus Woodlands 'Williams' over Daviesia mixed open shrublands/Acacia mixed open heath (Shepherd, 2009)	The proposal is to clear 1 <i>Corymbia calophylla</i> (marri) tree in order to reduce the amount of debris falling on and damaging an adjacent synthetic bowling green.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994)	The condition of the native vegetation under application was determined through aerial photography (Darkan 50cm Orthomosaic-Landgate 2006) and an arboricultural assessment conducted in November 2010 (Banks, 2010).
Mattiske vegetation association: DK3: Open woodland of <i>Allocasuarina huegeliana</i> - <i>Acacia acuminata</i> with occasional <i>Eucalyptus rudis</i> and <i>Eucalyptus wandoo</i> on variable slopes near granite outcrops and woodland of <i>Eucalyptus astringens</i> - <i>Eucalyptus wandoo</i> on breakaways in the arid zone. (Mattiske and Havel, 1998)	The tree is mature and healthy and poses no unacceptable hazard (Banks, 2010).		

3. Assessment of application against clearing principles

Comments

The proposal is to remove one mature *Corymbia calophylla* (marri) tree from Darkan Townsite Lot 295, Shire of West Arthur. The tree is adjacent to the Darkan Bowling Club, with its western crown growing to within 2m of the bowling green (Banks, 2010). The Shire of West Arthur proposes to remove the tree under application in order to reduce the amount of debris falling onto and damaging the adjacent synthetic bowling green.

The tree under application has not been identified as containing hollows suitable for use by indigenous fauna.

The proposed removal of the tree under application is unlikely to have an appreciable impact on the surrounding environment and is not likely to be at variance with the Clearing Principles.

Methodology

References:

Banks, 2010

GIS Databases:

- Acid Sulfate Soils Risk Map - DEC 02/07/10
- ANCA, Wetlands - 26/03/99
- Darkan 50cm Orthomosaic - Landgate 2006
- DEC Managed Lands & Waters - DEC 28/10/09

- Evapotranspiration, Area Actual - BOM 30/09/01
- Groundwater Salinity, statewide - DoW 13/07/06
- Hydrogeographic Catchments, Catchments - DoW 01/06/07
- Hydrogeology, statewide - DoW 13/07/06
- Hydrography, linear DoW 13/7/06
- Rainfall, Mean Annual - BOM 30/09/01
- Pre-European vegetation - DA 01/01
- RAMSAR, Wetlands - 15/10/09
- SAC Biodatasets - 04/03/11
- Soils, Statewide - 30/11/99

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

Comments

The Department of Environment and Conservation (DEC) granted clearing permit CPS 3339/1, which permitted the removal of the marri tree under application, in October 2009. The decision to grant the permit was appealed by members of the public on the grounds that:

- this tree has environmental value, in particular it provides habitat and has a positive effect on groundwater and air pollution;
- that the purpose of this tree being cleared is to prevent a build up of leaf litter and dehiscent fruit on the (then proposed) bowling green, which is an inadequate reason;
- the tree should be retained until it has shown to cause a problem to the (then proposed) bowling green; and
- this tree is large, mature, aesthetically pleasing and provides the only shade in the area.

In response to the concerns raised by appellants, the Shire of West Arthur resolved at its Ordinary Council Meeting held 26 November 2009 to request the Minister for Environment approve the permit with the exclusion of the tree. The Shire advised that further assessment would be undertaken to determine the hazards and risks posed by the marri tree prior to any further proposal or application to remove it (Minister's Appeal Determination, 2010). The Minister for Environment allowed the appeal on 5 January 2010 DEC granted amended clearing permit CPS 3339/2, which excluded the marri tree.

The Shire of West Arthur have determined the tree is impacting detrimentally on the neighbouring synthetic green and is structurally sound. Community consultation has been undertaken and the Shire of West Arthur has contacted previous appellants.

No public submissions were received in relation to this clearing permit application.

The application area is within Reserve 15837, on Darkan Townsite Lot 295, which is zoned for 'Parks and Recreation' and is vested with the Shire of West Arthur for public recreation.

There are no known Aboriginal Sites of Significance within the application area.

Methodology

References:

Minister's Appeal Determination, 2010

GIS Databases:

- Aboriginal Sites of Significance - DIA 02/10
- Cadastre - Landgate 12/09
- Country Area Water Supply Act (Part IIA) Clearing Control Catchments - DoW 29/06/06
- Environmental Impact Assessments - EPA 08/03/05
- Native Title Claims - LA 02/5/07
- Public Drinking Water Source Areas (PDWSAs) - DoW 07/02/06
- RIWI Act, Areas - DoW 05/04/02
- RIWI Act, Groundwater Areas - DoW 13/07/06
- RIWI Act, Irrigation Districts - DoW 13/07/06
- Town Planning Scheme Zones - MFP 31/08/98

4. References

Banks, J. (2010) Arboricultural Report. November 2010. DEC Ref: A365633

Court Track and Field (2010) Advice to Darkan Bowling Club in relation to synthetic green surface. July 2010. DEC Ref: A365633

Court Track and Field (2010) Advice to Darkan Bowling Club in relation to synthetic green surface. July 2010. DEC Ref: A365633

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.

Minister's Appeal Determination (2010) Appeals against the decision of the Department of Environment and Conservation to

grant clearing permit 3339/1 - Shire of West Arthur, Area permit, Lot 299 on Plan 186886 and Darkan Townsite Lot 295. Hon Donna Faragher JP MLC Minister for Environment. Office of Appeals Convenor, Western Australia. TRIM Ref: Doc115148

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.

Shire of West Arthur (2011) Clearing permit application CPS 4197/1 - Supporting information. DEC Ref: A365633

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)