



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 4216/2

File Number: 2011/000868

Duration of Permit: From 25 April 2011 to 25 April 2013

PERMIT HOLDER

David John Clark on behalf of Herbert Horsley Clark and Evelyn Frances Clark

LAND ON WHICH CLEARING IS TO BE DONE

Lot 19 on Plan 913 (TORBAY 6330)

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 2 hectares of native vegetation within the area cross hatched yellow on attached Plan 4216/2.

CONDITIONS

1. Dieback and 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* and *dieback*:
 - (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) shall only move soils in *dry conditions*;
 - (iii) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
 - (iv) 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.

2. Fauna management

- (a) The Permit Holder shall retain *habitat tree(s)* found within the area cross hatched yellow on attached Plan 4216/2.
- (b) The Permit Holder shall retain *Agonis flexuosa* trees that have a diameter, at human chest height, greater than 10 centimetres.

DEFINITIONS

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

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;

habitat tree(s) means trees that have a diameter, at average adult human chest height, of greater than 70cm, healthy but with dead limbs and broken crowns that are likely to contain hollows and roosts suitable for native fauna, or where these are not present then healthy but with the potential to contain hollows and roosts;

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*.

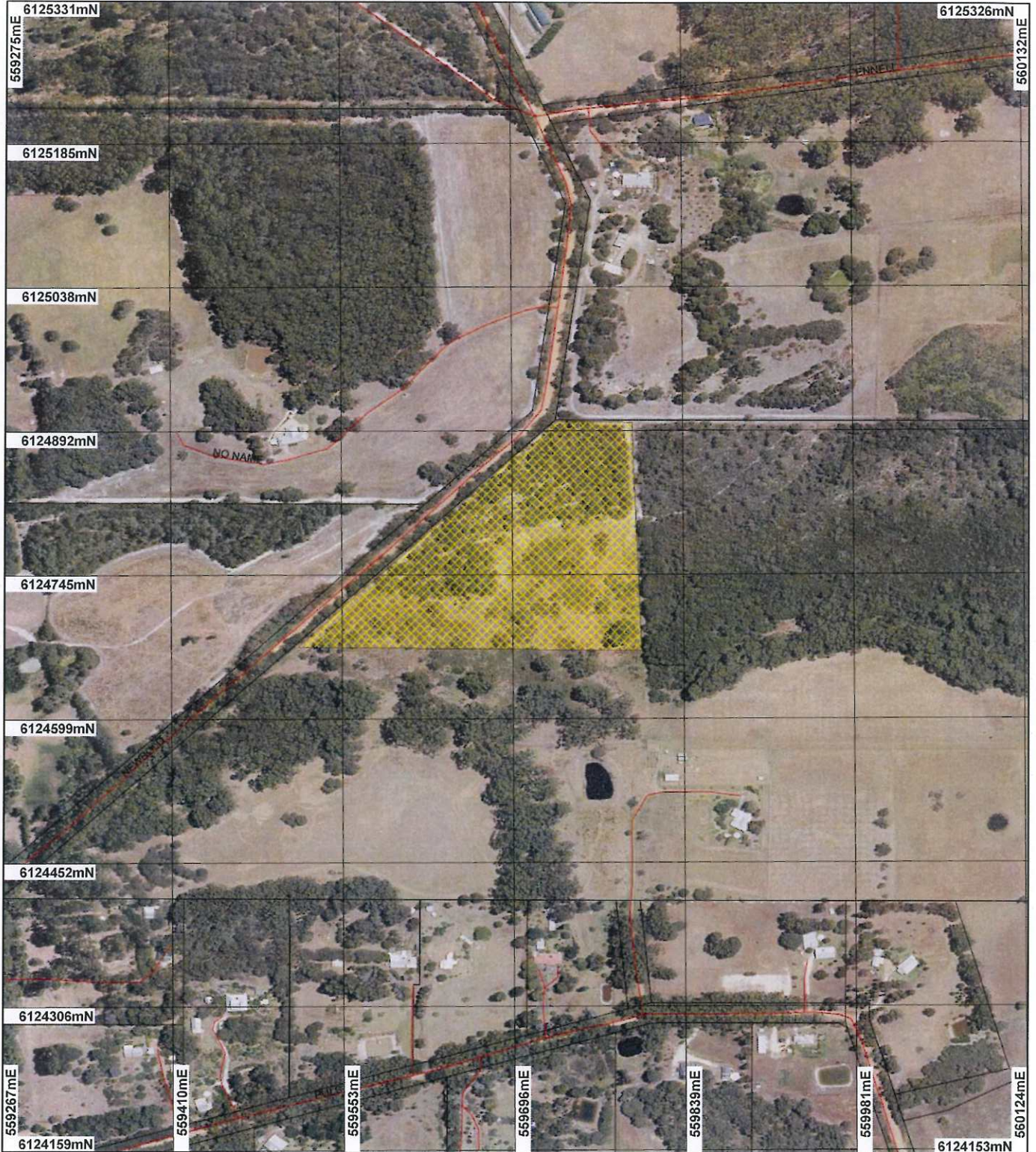


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

18 August 2011

Plan 4216/2



LEGEND

Clearing Instruments

-  Areas Approved to Clear
 -  Road Centrelines
 -  Cadastre
- Albany 50cm Orthomosaic - Landgate 2007



Scale 1:5135

(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.

 Date 13/2/11

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.: 4216/2

Permit type: Area Permit

1.2. Proponent details

Proponent's name: Herbert Horsley and Evelyn Frances Clark

1.3. Property details

Property: LOT 19 ON PLAN 913 (House No. 48 PULS TORBAY 6330)

Local Government Area: City of Albany

Colloquial name:

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 18 August 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
The Albany Regional Vegetation Survey (ARVS) has identified the area under application as ARVS unit 10 which is described as Marri/Jarrah forest/ Peppermint woodland (Sandiford and Barrett, 2010). Beard vegetation mapping indicated that the area under application is within vegetation complex 3, which is described as 'Medium forest; jarrah-marri' (Shepherd, 2009).	The applicant is proposing to parkland clear 2 hectares of native vegetation for the purpose of pasture and grazing. The applicant will leave larger trees intact as shelter for the stock.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The condition of the vegetation under application was determined via digital imagery (Albany 50cm Orthomosaic - Landgate 2007).

3. Assessment of application against clearing principles

Comments **Proposal is not likely to be at variance to this Principle**

This amendment has been made at the request of the Minister for Environment, who has asked that reference to Eucalyptus species be removed from condition 2(b) (Minister for Environment, 2011).

Condition 2(b) of the initial permit (CPS 4216/1) stated that 'The Permit Holder shall retain *Agonis flexuosa* and *Eucalyptus* species that have a diameter, human chest height, greater than 10 centimetres'. The applicant subsequently appealed this condition on the grounds that this condition would prevent the majority of the clearing.

The assessment against the clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 4216/1.

Methodology References:
Minister for Environment (2011)

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

Comments
The assessment against planning instruments and other matters has not changed and can be found in the Clearing Permit Decision Report CPS 4216/1.

Methodology

4. References

- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Minister for Environment (2011) Appeal Against Conditions of Clearing Permit CPS 4216/1 - Lot 19 on Plan 913, Torbay, City of Albany.
- Sandiford, E.M. and Barrett, S. (2010). Albany Regional Vegetation Survey, Extent Type and Status, A project funded by the Western Australian Planning Commission (EnviroPlanning 'Integrating NRM into Land Use Planning' and State NRM Program), South Coast Natural Resource Management Inc. and City of Albany for the Department of Environment and Conservation. Unpublished report. Department of Environment and Conservation, 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
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)