



GOVERNMENT OF  
WESTERN AUSTRALIA

## **CLEARING PERMIT**

*Granted under section 51E of the Environmental Protection Act 1986*

### **PERMIT DETAILS**

Area Permit Number: 4235 / 1

File Number:

Duration of Permit: From 09 May 2011 to 09 May 2013

### **PERMIT HOLDER**

Matthew Paul Swainston

### **LAND ON WHICH CLEARING IS TO BE DONE**

LOT 4114 ON PLAN 202487 (House No. 224 CORIO TORBAY 6330)

### **AUTHORISED ACTIVITY**

1. Clearing of up to 8 hectares of native vegetation within the area hatched yellow on attached Plan 4235/1.

### **CONDITIONS**

Nil

A handwritten signature in cursive script, appearing to read 'Matt Warnock', written over a horizontal line.

Matt Warnock  
A/MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

14 April 2011

# Plan 4235/1



## LEGEND

- Clearing Instruments**
- Areas Applied to Clear
  - Areas Subject to Conditions
  - Areas Approved to Clear
  - Road Centrelines
  - Cadastral
- Mount Barker 50cm Orthomosaic -  
Landgate 2007

\* Project Data is denoted by asterisk.  
This data has not been quality assured.  
Please contact map author for details.



Scale 1:4194  
(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.

*Account* 14/4/11  
Date

M. Warrock  
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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Environment and Conservation  
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## 1. Application details

### 1.1. Permit application details

Permit application No.: 4235/1

Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Matthew Paul Swainston

### 1.3. Property details

Property: LOT 4114 ON PLAN 202487 (House No. 224 CORIO TORBAY 6330)

Local Government Area:

Colloquial name:

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 14 April 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 12 which is described as 'Jarrah/Marri/Sheoak Laterite Forest' (Sandiford and Barrett, 2010).	The applicant is proposing to clear 8 hectares of native vegetation for the purpose of pasture and grazing.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The vegetation description and condition was determined from the Albany Regional Vegetation Study and aerial imagery (Sandiford and Barrett 2010).

Beard vegetation mapping indicated that the area under application is within vegetation complex 978, which is described as 'Low forest; jarrah, Eucalyptus staeri and Allocasuarina fraseriana (Shepherd, 2009).

## 3. Assessment of application against clearing principles

### (a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

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

The proposal is to clear approximately 8 hectares of native vegetation for the purpose of pasture and grazing. The vegetation under application is described as Jarrah/Marri/Sheoak Laterite Forest (Sandiford and Barrett, 2010) in good condition (Keighery, 1994) and aerial imagery indicates it to have an open understory with reduced floristic diversity.

The vegetation under application is likely to contain large trees that may provide suitable roosting habitat for *Calyptorhynchus banksii* subsp. *naso* (Forest Red-tailed Black-Cockatoo), *Calyptorhynchus baudinii* (Baudin's Cockatoo) and *Calyptorhynchus latirostris* (Carnaby's Black Cockatoo).

Of the flora of conservation significance that have been mapped as occurring on the same soil type and Beard vegetation complex as the application area, only *Banksia serra* (Priority 4) is considered likely to occur within the Jarrah/Marri/Sheoak Laterite Forest vegetation unit (Sandiford and Barrett, 2010). However, given that the vegetation under application is considered to have an open understory with reduced floristic diversity it is unlikely that this species will be impacted upon by the proposed clearing.

Given the above the proposed clearing is not likely to be at variance to this principle.

- Methodology** References:  
Keighery (1994)  
Sandiford and Barrett (2010)  
GIS Databases:  
-Mount Barker 50cm Orthomosaic - Landgate 2007  
-NLWRA, Current Extent of Native Vegetation  
-Pre-European Vegetation  
-SAC Bio Datasets (17/3/2011)  
-Soils, Statewide DA 11/99

**(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.**

**Comments Proposal may be at variance to this Principle**

The proposal is to clear approximately 8 hectares of native vegetation for the purpose of pasture and grazing. The vegetation under application is described as Jarrah/Marri/Sheoak Laterite Forest (Sandiford and Barrett, 2010) in good condition (Keighery, 1994) and aerial imagery indicates it to have an open understory with reduced floristic diversity.

Sixteen conservation significant fauna species have been recorded within the local area (10 km radius) and it is considered that the area under application may provide significant habitat for a number of fauna indigenous to Western Australia, including *Calyptorhynchus banksii* subsp. *naso* (Forest Red-tailed Black-Cockatoo), *Calyptorhynchus baudinii* (Baudin's Cockatoo) and *Calyptorhynchus latirostris* (Carnaby's Black Cockatoo).

Given the size of the application area (8 hectares), and that the vegetation under application is likely to contain large trees that may provide suitable roosting habitat for black cockatoos, the proposed clearing may be at variance to this principle.

- Methodology** References:  
Keighery (1994)  
Sandiford and Barrett (2010)  
GIS Databases:  
-Mount Barker 50cm Orthomosaic - Landgate 2007  
-Pre-European Vegetation  
-SAC Bio Datasets (17/3/2011)

**(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.**

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

The proposal is to clear approximately 8 hectares of native vegetation for the purpose of pasture and grazing. The vegetation under application is described as Jarrah/Marri/Sheoak Laterite Forest (Sandiford and Barrett, 2010) in good condition (Keighery, 1994) and aerial imagery indicates it to have an open understory with reduced floristic diversity.

While the rare flora species *Banksia brownii*, *Microtis globula* and *Isopogon uncinatus* have been recorded on the same mapped soil and vegetation types as the area under application, these species are not considered to occur within the Jarrah/Marri/Sheoak Laterite Forest vegetation unit (Sandiford and Barrett, 2010) system.

Given the above the proposed clearing is not likely to be at variance to this principle.

- Methodology** References:  
Keighery (1994)  
Sandiford and Barrett (2010)  
GIS Databases:  
-Mount Barker 50cm Orthomosaic - Landgate 2007  
-Pre-European Vegetation  
-SAC Bio Datasets (17/3/2011)  
-Soils, Statewide DA 11/99

**(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.**

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

There are no records of Threatened Ecological Communities (TEC) within the local (10km radius) area of the proposed clearing.

Therefore, the proposed clearing is not at variance to this principle

**Methodology** GIS Databases:  
 -Pre-European Vegetation  
 -SAC Bio Datasets (17/3/2011)  
 -Soils, Statewide DA 11/99

**(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.**

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

The proposal is to clear approximately 8 hectares of native vegetation for the purpose of pasture and grazing. The vegetation under application is described as Jarrah/Marri/Sheoak Laterite Forest (Sandiford and Barrett, 2010) in good condition (Keighery, 1994) and aerial imagery indicates it to have an open understory with reduced floristic diversity.

The area under application is located in the Jarrah Forest Bioregion, within which 55.8% of the pre-European vegetation remains (Shepherd 2007). The proposal also falls within the City of Albany, of which there is 37.41% remaining of pre-European vegetation (Shepherd 2007).

Beard Vegetation association 3 retains 69.35% of the remaining pre-European vegetation within the Jarrah Forest Bioregion (Shepherd 2007). This is above the 30% threshold level recommended in the National Objectives Targets for Biodiversity Conservation, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Western Australia 2001).

The local area is significantly cleared, with approximately 15% native vegetation remaining in a 10km radius.

Given that the vegetation under application is in good condition (Keighery, 1994) with an open understory and reduced floristic diversity it is not considered for the vegetation under application to be a significant remnant within an area that has been extensively cleared. The proposed clearing is therefore not likely to be at variance to this principle.

	Pre-European (ha)	Current extent (ha)	Remaining %
IBRA Bioregion			
Jarrah Forest*	4,506,657	2,514,550	55.80*
City of Albany*	431,375	161,375	37.41*
Local Area (~10km radius)	~18840	~4710	~15.00
Beard type in Bioregion*			
978	53,017	20,626	38.90

(Shepherd 2009)\*

**Methodology** References:  
 Commonwealth of Australia (2001)  
 Keighery, 1994  
 Sandiford and Barrett (2010)  
 Shepherd et al (2001)  
 GIS Database:  
 -Mount Barker 50cm Orthomosaic - Landgate 2007  
 -Pre-European Vegetation - DA 10/01  
 -NLWRA, Current Extent of Native Vegetation  
 -Interim Biogeographic Regionalisation of Australia  
 -Local Government Authorities - DLI 8/07/04

**(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.**

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

The proposal is to clear approximately 8 hectares of native vegetation for the purpose of pasture and grazing. The vegetation under application is described as Jarrah/Marri/Sheoak Laterite Forest (Sandiford and Barrett, 2010) in good condition (Keighery, 1994) and aerial imagery indicates it to have an open understory with reduced floristic diversity.

The area under application is surrounded by numerous unnamed, minor, non-perennial watercourses, marsh areas, dams and drains. The closest of the unnamed, minor, non-perennial watercourses are located 0.1km

east, 0.2km north, 0.5km west and 0.7km south. However, the vegetation under application is not considered to riparian in nature and the proposed clearing is therefore not likely to be at variance to this principle.

**Methodology** References:  
Keighery (1994)  
Sandiford and Barrett (2010)  
GIS Databases:  
-Mount Barker 50cm Orthomosaic - Landgate 2007  
-Hydrography, Linear - DOE 1/2/04  
-South Coast Significant Wetlands

**(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.**

**Comments** **Proposal is not likely to be at variance to this Principle**  
The area under application is mapped as soil type Ca23, the associated soils being leached sands overlying boulder laterite on upland areas and are associated with ironstone gravelly ridges containing ironstone layers or lateritic layers (Northcote et al, 1960-68). The area under application is of high relief and given the presence of ironstone gravels the risk of salinity, eutrophication, wind erosion and water erosion causing land degradation are considered to be low. Therefore the area under application is considered to be not likely to be at variance to this principle.

**Methodology** References:  
Northcote et al (1960-68)  
GIS Databases:  
-Hydrography, linear  
-Soils, Statewide  
-Salinity Risk LM 25m - DOLA 00  
-Topographic contours statewide - DOLA and ARMY 12/09/02

**(h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.**

**Comments** **Proposal is not likely to be at variance to this Principle**  
The proposal is to clear approximately 8 hectares of native vegetation for the purpose of pasture and grazing. The vegetation under application is a isolated remnant of native vegetation that is surrounded by pasture.  
  
A number of Nature Reserves are located between 4km and 7km of the application area, the closest being the Down Road Nature Reserve and the Marbellup Nature Reserve, located 4.3km east and 4.3km south-east of the application area, respectively.  
  
Given the isolation of the application area and distance to the nearest conservation areas it is considered not likely that the proposed clearing will impact upon these Nature Reserves and the proposed clearing is therefore not likely to be at variance to this principle.

**Methodology** References:  
Keighery (1994)  
Sandiford and Barrett (2010)  
GIS Database:  
-DEC Tenure  
-Mount Barker 50cm Orthomosaic - Landgate 2007  
-NLWRA, Current Extent of Native Vegetation

**(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.**

**Comments** **Proposal may be at variance to this Principle**  
The area under application is surrounded by by numerous unnamed, minor, non-perennial watercourses, marsh areas, dams and drains, the closest of these are unnamed, minor, non-perennial watercourses located 0.1km east, 0.2km north, 0.5km west and 0.7km south of the application area. The vegetation under application is described as Jarrah/Marri/Sheoak Laterite Forest (Sandiford and Barrett, 2010) in good condition (Keighery, 1994). It is considered that the clearing of this vegetation is not likely to cause deterioration in the quality of the surrounding watercourses.  
  
The proposed clearing is within the Albany Groundwater Area and the Department of Water have advised that the clearing of native vegetation within this area may increase the risk of contamination to this water resource (DoW, 2011).  
  
Given that the proposed clearing may increase the risk of deterioration of groundwater, the proposed clearing may be at variance to this principle.

**Methodology** References:  
Department of Water (2011)  
Keighery (1994)  
Sandiford and Barrett (2010)  
GIS Database:  
-Mount Barker 50cm Orthomosaic - Landgate 2007  
-Hydrogeology Statewide (Lithology)  
-Hydrography, Linear - DOE 1/2/04

**(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.**

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

The proposal is to clear approximately 8 hectares of native vegetation for the purpose of pasture and grazing. The vegetation under application is described as Jarrah/Marri/Sheoak Laterite Forest (Sandiford and Barrett, 2010) in good condition (Keighery, 1994). The soil type of the application area is mapped as Ca23, with leached sands overlying boulder laterite on upland areas (Northcote et al, 1960-68). The area under application is of high relief and given the presence of ironstone gravels.

Given the high relief of the application area and presence of leached sands it is not considered likely for the proposed clearing to cause or exacerbate the incidence or intensity of flooding and the proposed clearing is therefore not likely to be at variance to this principle.

**Methodology** References:  
Keighery (1994)  
Sandiford and Barrett (2010)  
GIS Database:  
-Mount Barker 50cm Orthomosaic - Landgate 2007  
-Hydrogeology Statewide (Lithology)  
-Hydrography, Linear - DOE 1/2/04

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

**Comments**

The area under application occurs within the EPA Position Statement No. 2 agriculture area and is for the purpose of pasture and grazing. Significant clearing of native vegetation has already occurred on agricultural land, and this has led to a reduction in biodiversity and increase in land salinisation. Accordingly, from an environmental perspective any further reduction in native vegetation through clearing for agriculture cannot be supported (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 Position Statement No 2 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.

The assessment of proposed clearing has determined that the proposal area is not likely to support high levels of biodiversity nor exacerbate land degradation.

The Department of Water (DoW) has advised that the proposed clearing is within the Marbellup Brook Catchment Public Drinking Water Source Area (PDWSA). This PDWSA is a Priority 2 area and while not being currently used as a water source, the DoW advises that it is possible that this source will be harnessed in the near future and that the clearing of perennial vegetation may increase the risk of contamination of this water resource (DoW, 2011).

The DoW also advise that the proposed clearing is within the Torbay Catchment Area and that this area has high value waterways that are at risk of degradation from landuse in the catchment area. The DoW state that considerable government funding has been spent on restoration of the catchment area and that removal of native vegetation within the catchment area would be contrary to the aims of catchment restoration (DoW, 2011).

The Shire of Albany (2011) has advised that the property under application is zoned as 'Rural' and the proposed use 'pasture and grazing' would be considered a permitted use in the Zone and would not require planning consent.

**Methodology** References:

#### 4. References

- City of Albany (2011) Direct interest response for Clearing Permit Application CPS 4235/1, Lot 4114 on Plan 202487, Torbay. DEC Ref: A381188
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Department of Water. (2011). Direct interest response for Clearing Permit Application CPS 4235/1, Lot 4114 on Plan 202487, Torbay. DEC Ref:A380927.
- 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.
- 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.
- Sandiford, E.M. and Barrett, S. (2010). Albany Regional Vegetation Study: Extent, Type and Status. A project funded by the Western Australian Planning Commission (EnviroPlanning -Integrating NRM into Land Use Planning- and State NRM Programs), 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)