



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 4772/1  
File Number: 2011/011583-1  
Duration of Permit: From 5 March 2012 to 5 March 2014

### PERMIT HOLDER

BundyBunna Aboriginal Corporation

### LAND ON WHICH CLEARING IS TO BE DONE

Lot M1227 on Diagram 5153, (WONGOONDY 6630)  
Lot M1701 on Plan 4993, (CANNA 6627)

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 7.1 hectares of native vegetation within the area hatched yellow on attached Plan 4772/1.

### CONDITIONS

#### 1. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the area(s) shall be inspected by a *fauna specialist* for the presence of *Leipoa ocellata* (Malleefowl) mounds.
- (b) Where *Leipoa ocellata* (Malleefowl) mounds are identified in relation to condition 1(a) of this Permit, the Permit Holder shall ensure that no clearing occurs within 50 metres of the identified *Leipoa ocellata* (Malleefowl) mounds, unless approved by the CEO.

#### 2. 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*:

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

#### 3. Records to be kept

The Permit Holder must maintain the following records in relation to fauna management pursuant to condition 1 of this Permit, the location of each *Leipoa ocellata* (Malleefowl) mound recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees.

#### 4. 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 3 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 5 December 2013, the Permit Holder must provide to the CEO a written report of records required under condition 3 of this Permit where these records have not already been provided under condition 4(a) of this Permit.

#### DEFINITIONS

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

*fauna specialist* means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna;

*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 2012

# Plan 4772/1



## LEGEND

-  Road Centrelines
-  Clearing Instruments
-  Areas Approved to Clear
-  Cadastre for labelling
-  Mullewa 50cm Orthomosaic - Landgate 2005



0 1 km

Scale 1:34993

(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 9/2/12

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.: 4772/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Bundybunna Aboriginal Corporation

### 1.3. Property details

Property: LOT M1227 ON DIAGRAM 5153 ( WONGOONDY 6630)  
LOT M1701 ON PLAN 4993 (House No. 1160 STREETS CANNA 6627)

Local Government Area: City of Greater Geraldton

Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
7.1		Mechanical Removal	Fence Line Maintenance

### 1.5. Decision on application

Decision on Permit Application: GRANT  
Decision Date: 10 February 2012

## 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
Mapped Beard vegetation association 354 is described as Shrublands; jam and Acacia rostellifera (+ hakea) scrub with scattered York gum (Shepherd 2009).	The application proposes to clear up to 7.1 hectares of native vegetation within Section Lot M1351 on Plan 4603 and Lot M1701 on Plan 4993, Canna for the purpose of fencing off remnant vegetation and fire breaks on Bundybunna land. The vegetation is in very good (Keighery 1994) condition.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	The condition of the vegetation was determined through aerial imagery (Mullewa 50cm Orthomosaic - Landgate 2005).
Mapped Beard vegetation association 684 is described as Mosaic: Shrublands; Shrublands; jam scrub with scattered York gum in the valleys / Allocasuarina campestris thicket (Shepherd 2009).			
Mapped Beard vegetation association 1413 is described as Shrublands; acacia, casuarina & melaleuca thicket (Shepherd 2009).			

## 3. Assessment of application against clearing principles

The application proposes to clear up to 7.1 hectares of native vegetation within Lot M1351 on Plan 4603 and Lot M1701 on Plan 4993, Canna for the purpose of fencing off remnant vegetation and fire breaks on BundyBunna land.

The Mingenew Irwin Group (MIG 2011) has advised that the area proposed to be cleared mainly consists of regrowth which is older than 10 years. The proposed clearing is a 6m wide strip around 2 areas of remnant vegetation. The fence will be constructed 3m out from the remnant so there is a 3m firebreak between the vegetation and the fence and there will be a 3m roadway on the other side.

Within the local area (40km radius) 10 fauna species of conservation significance have been recorded. The closest records is the Peregrine Falcon (*Falco peregrinus*) (Specially Protected under the Wildlife Conservation (WC) Act 1950), which is recorded 12km south west from the application area (DEC 2007-) and the Malleefowl (*Leipoa ocellata*) (Threatened, Wildlife Conservation Act 1950 and Threatened (Vulnerable), Environment Protection and Biodiversity Conservation Act 1999), recorded 20km from the application area. The proposed clearing is unlikely to impact the Peregrine falcon as this species is widespread and can survive major habitat clearing and disturbances as long as sufficient prey and nest sites are available.

The Malleefowl breed annually with an average breeding life of 15 years, mainly nesting in the same general area year after year with breeding pairs having a small home range (Benshemesh 2007). It is considered that the protection of existing nesting mounds is important to ensure the decline of the species is halted or reversed. The proposed clearing may have an impact on this species if Malleefowl mounds are located within the area

proposed to be cleared and therefore the proposed clearing may be at variance to principle (b). A fauna management condition will minimise and mitigate the impacts to the Malleefowl within the proposed clearing area.

The three Beard vegetation associations 684, 354 and 1413 are mapped within the area under application and have 20 per cent, 12 per cent and 25 per cent of their pre-European extent remaining within the Avon-Wheatbelt Interim Biogeographic Regionalisation of Australia (IBRA) bioregion (Shepherd 2009). These vegetation associations are therefore considered to be below threshold levels for maintaining biodiversity. 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). Therefore the application area is within in an extensively cleared area and the vegetation may be a significant remnant as it may contain significant fauna habitat, therefore the clearing maybe at variance to principle (e). The proposed clearing is for a fence that will protect the integrity of a larger more significant remnant.

The assessment determined that the proposed clearing is not likely to significantly impact any biodiversity, habitat or environmental values or cause appreciable land degradation within the local or regional context. Given the above, the proposal may be at variance to principle (b) and (e) is not likely to be at variance to the any of the remaining clearing principles.

- Methodology**
- References**  
Benshemesh 2007  
Commonwealth of Australia (2001)  
DEC (2007-)  
MIG (2012)  
Keighery (1994)
- GIS Databases:**  
- Mullewa 50cm Orthomosaic - Landgate 2005  
- Pre European Vegetation  
- SAC Biodatasets - accessed January 2012

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

##### **Comments**

The application proposes to clear up to 7.1 hectares of native vegetation within Lot M1351 on Plan 4603 and Lot M1701 on Plan 4993, Canna for the purpose of fencing off remnant vegetation and fire breaks on BundyBunna land.

The Mingenew Irwin Group (MIG) in conjunction with BundyBunna aboriginal Corporation and Department of Agriculture and Food WA have received 'caring for our Country' funding from the Australian Government. The project 'Protecting and enhancing native vegetation and regeneration on BundyBunna land' is funding to fence off at least 1100 ha of remnant vegetation on BundyBunna in accordance to the management plan prepared for BundyBunna in 2008 (MIG 2011).

The area under application is mapped as Rural under the Town Planning Scheme.

The City of Greater Geraldton advised that a 6m wide firebreak is excessive for the area and a firebreak of 3m or 4m is generally acceptable. It is recommend to maintain a sound firebreak of 3m or 4m on the outside of the fenced area to protect bushland (City of Greater Geraldton 2012).

The area under application falls within the Gascoyne groundwater area which is an area proclaimed under the Rights in Water and Irrigation Act 1914.

- Methodology**
- References**  
City of Greater Geraldton (2012)  
MIG (2012)
- GIS Databases**  
- Town Planning Scheme  
- RIWI, Groundwater Areas

#### **4. References**

- Benshemesh, J. (2007) National Recovery Plan for Malleefowl. Department of Environment and Heritage, South Australia. <http://www.environment.gov.au/biodiversity/threatened/publications/recovery/malleefowl/index.html> (Accessed 10 November 2011)
- City of Greater Geraldton (2012) Application to clear native vegetation under the Environmental Protection Act 1986. DEC ref: A466228
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- DEC (2007 - ) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL:

<http://naturemap.dec.wa.gov.au/>. Accessed 2/2/2012

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

MIG (2011) Part 2 Proposal - Purpose of Clearing. Application for a Clearing Permit (area permit). DEC ref: A458754

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)