



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 4846/1

File Number: 2012/ 000525

Duration of Permit: From 16 April 2012 to 16 April 2014

PERMIT HOLDER

Jeffrey Graham Pow

LAND ON WHICH CLEARING IS TO BE DONE

Lot 82 on Deposited Plan 47489 (SOUTHAMPTON 6253)

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 1 hectare of native vegetation within the area cross-hatched yellow on attached Plan 4846/1.

CONDITIONS

Nil.

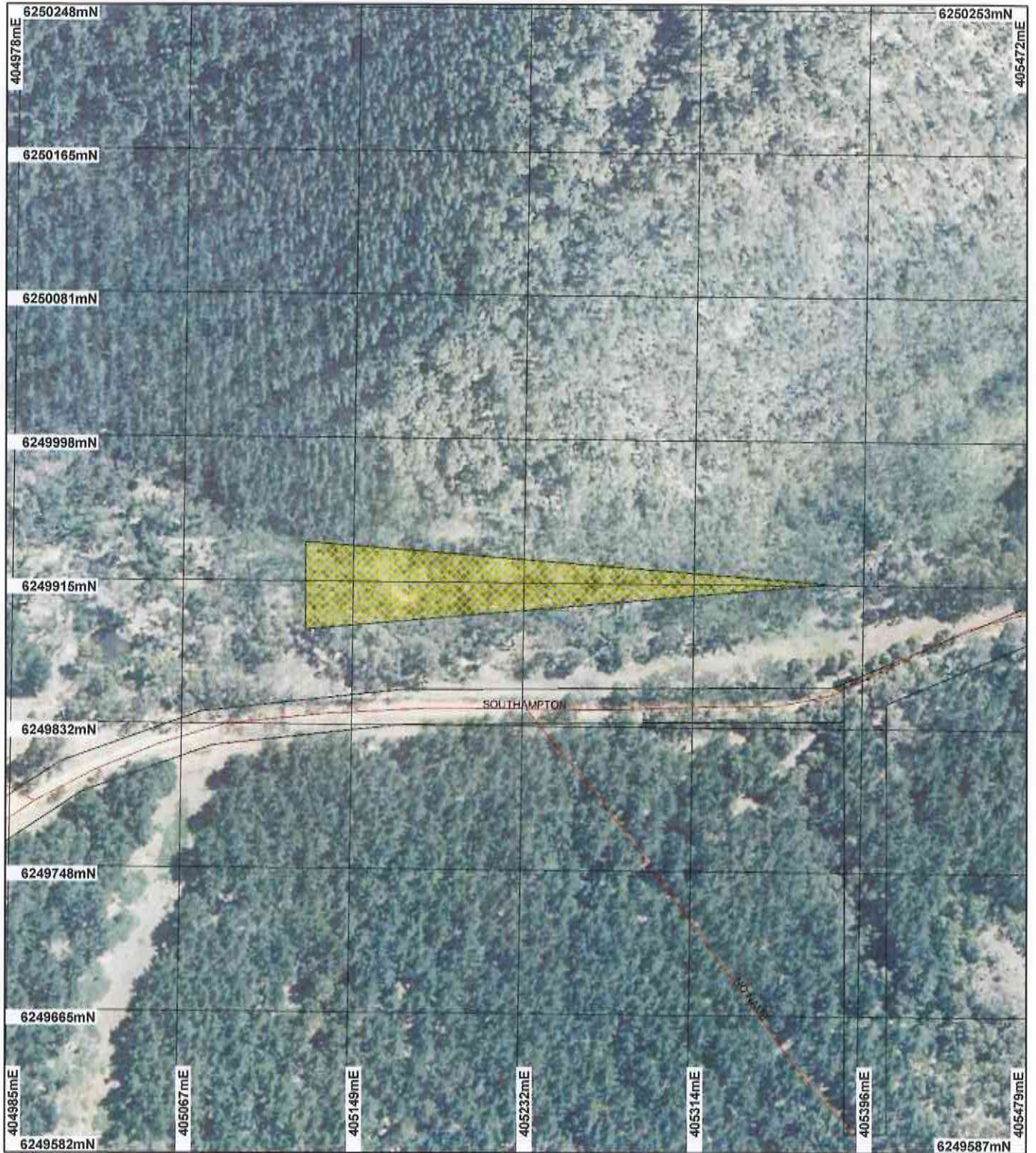
A handwritten signature in black ink, appearing to be "K. Faulkner", written over a horizontal line.

Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

22 March 2012

Plan 4846/1



LEGEND

- Road Centrelines
- Cadastre
- Clearing Instruments
- Areas Approved to Clear
- Donnybrook 50cm Orthomosaic - Landgate



Scale 1:2931

(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 22/12/12

K Faulkner

Officer with delegated authority under Section 20 of the Environmental Protection Act 1988

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



1. Application details

1.1. Permit application details

Permit application No.: 4846/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: MR Jeffrey Pow

1.3. Property details

Property: LOT 82 ON PLAN 47489 (Lot No. 82 SOUTHAMPTON SOUTHAMPTON 6253)
Local Government Area: Shire of Donnybrook- Balingup

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1		Mechanical Removal	Dam construction or maintenance

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 22 March 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
The vegetation under application is mapped as: Beard vegetation association3: Medium forest; jarrah-marri (Shepherd, 2009).	The application is for the proposed clearing of 1 ha within Lot 82 Southampton Road, Southampton, for the purpose of constructing a dam for stock watering, orchard and crops.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The vegetation condition and description was determined from aerial photography and photographs supplied by the applicant.

3. Assessment of application against clearing principles

Comments **Proposal is not likely to be at variance to this Principle**
The proposed clearing of 1ha of native vegetation is unlikely to significantly impact upon the overall biodiversity of flora and fauna of the local area (10km radius).

Mature trees under application may provide suitable nesting habitat for the three threatened species of black cockatoo that have been recorded in the local area (10kms):
Calyptorhynchus banksii subsp. naso (Forest Red-tailed black-cockatoo),
Calyptorhynchus baudinii (Baudin's black-cockatoo) and
Calyptorhynchus latirostris (Carnaby's black-cockatoo).

These three species are listed as Rare or Likely to Become Extinct under the *Wildlife Conservation Act 1950* and are also protected under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*. The vegetation under application is within a highly vegetated local area that also contains suitable habitat for these species, therefore the vegetation under application is not considered significant habitat.

The Declared Rare Flora (DRF) species *Caladenia harringtoniae* has been recorded in the local area (10kms) but is unlikely to be found within the applied area as the floodplain in which it occurs it is too degraded to support the species (DEC, 2012).

Norilup Creek runs through the centre of the application area and therefore Principle (f) is at variance as the vegetation under application is associated with a watercourse.

Given the above, the assessment of the application identified that the clearing is at variance to Principle (f) and is not likely to be at variance to any of the remaining clearing principles.

Methodology References:
DEC (2007-)
DEC (2012)
Shepherd (2009)

WA Herbarium (1998-)

GIS Databases

-SAC Biodatasets (accessed 9/2/2012)

-Hydrography linear

-Pre- European Vegetation

Planning instruments, Native Title, Previous EPA decisions or other matters.

Comments

The Bibbulmun Track is approximately 350 m west of the applied area on the same property.

The Shire of Donnybrook- Balingup (2012) has no objections to the application.

The Bunbury Department of Water (DoW) office was contacted by the applicant prior to submitting the application. The DoW advised the applicant their preference is that storage dams be conducted off-stream, with the water being pumped from the tributary during the winter months for use over summer, to maintain environmental flows. In situations where the only feasible sites are on-stream, then construction should include low flow bypass and fish ladders. DoW advises that the applicant engage a consultant to identify and develop a suitable water source. DoW Bunbury office should be contacted for further information.

The area under application is not within a proclaimed *Rights in Water and Irrigation Act 1914* (RIWI Act) area and hence no approvals under the RIWI Act are required (DoW, 2012). The applicant has a Riparian Right under Division 2, Section 20 of the RIWI Act to take water without a license for domestic and stock watering purposes, or 'any other purpose' as long as the flow is not 'sensibly diminished' (DoW, 2012).

Methodology

References:

DoW (2012)

Shire of Donnybrook- Balinup (2012)

4. References

- DEC (2007 -) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. (Accessed 02/03/2012).
- DEC (2012) Regional advice for Clearing Permit Application CPS 4834/1 Lot 82 on Deposited Plan 47489, Southampton. Department of Environment and Conservation, South West Region, Western Australia (DEC REF A480053).
- Department of Water (2011); Advice to Applicant received 10/3/2011 Department of Water, South West Region, Bunbury, Western Australia (DEC REF A469214).
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, 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.
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Environment and Conservation. <http://florabase.dec.wa.gov.au> (Accessed 9/2/2012).

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)