



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 4876/1  
File Number: 2012/000969-1  
Duration of Permit: From 11 May 2012 to 11 May 2014

### PERMIT HOLDER

Bradley Ian Lynch  
Steven John Lynch

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 103 on Diagram 90449 (Mount Barker, 6324)

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 50 native trees within the areas shaded yellow on attached Plan 4876/1.

### CONDITIONS

#### 1. Native vegetation conservation (conservation covenant)

- (a) The Permit Holder shall enter into a conservation covenant, agreement to reserve or some other form of binding undertaking to establish and maintain vegetation that includes 50 *habitat trees* within the area shaded red on attached Plan 4876/1.
- (b) The conservation covenant, agreement to reserve or some other form of binding undertaking to establish and maintain vegetation shall include, but not be limited to, the following conditions:
  - (i) native vegetation in the area subject to the conservation reserve must not be cleared, other than for clearing required under the *Bush Fires Act 1954*;
  - (ii) the land subject to the conservation reserve shall not be used for the purpose of cultivation of crops or pasture, or for the de-pasturing of any stock; and
  - (iii) the conservation reserve is to apply in perpetuity and be registered on the title of the property;
- (c) The Permit Holder is to execute and return the conservation covenant, agreement to reserve or some other form of binding undertaking outlined in condition 1(a) of this permit prior to 11 May 2014.

### DEFINITIONS

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

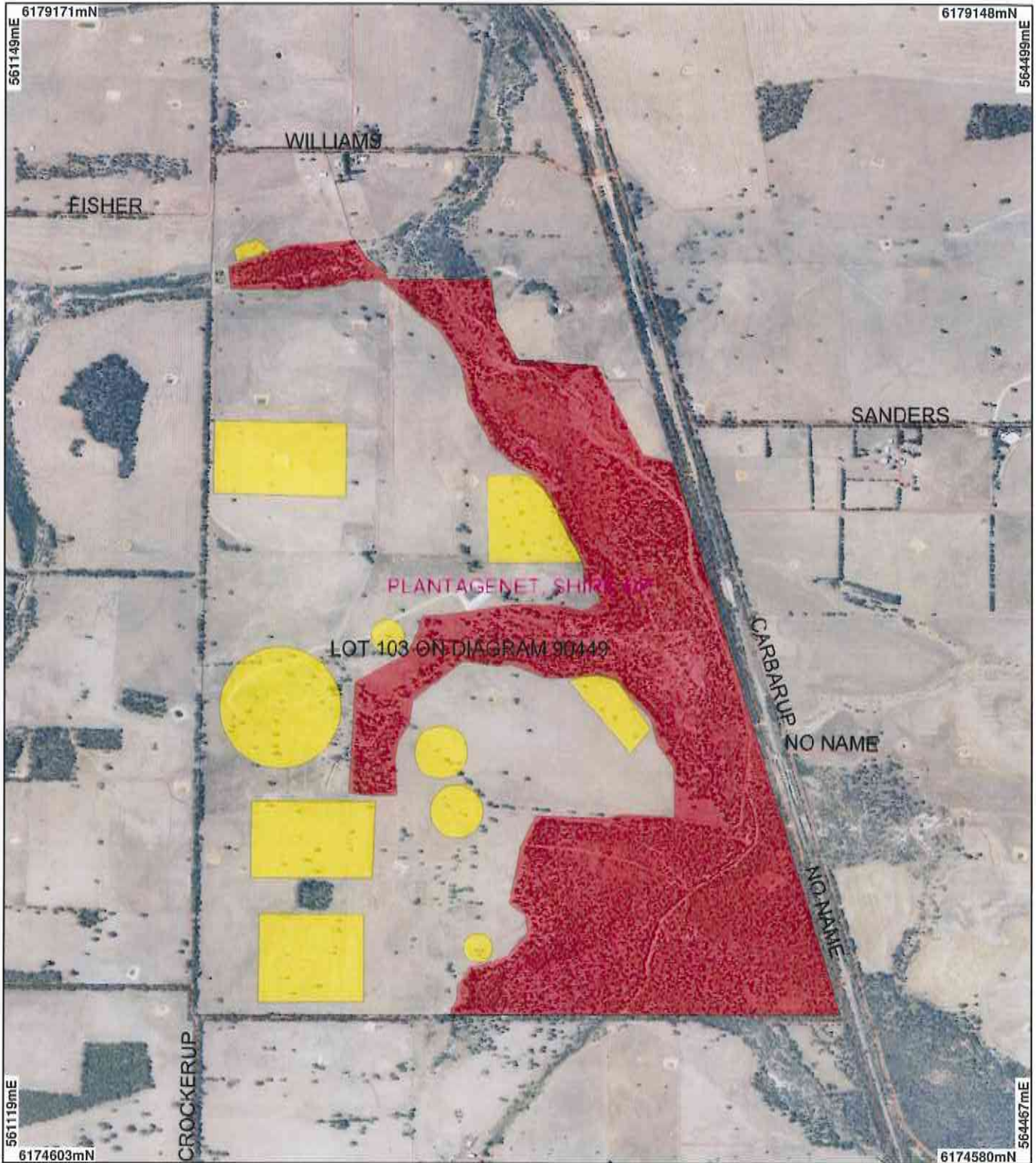
*habitat tree(s)* means trees that have a diameter, measured at 1.5m above the ground, of 50cm or greater, healthy but with dead limbs and broken crowns that are likely to contain hollows and roosts suitable for native fauna, or where these are not present then healthy but with the potential to contain hollows and roosts

Kelly Faulkner  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

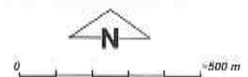
19 April 2012

# Plan 4876/1



## LEGEND

-  Road Centrelines
-  Cadastre
-  Clearing Instruments
-  Areas Subject to Conditions
-  Areas Approved to Clear
-  Local Government Authorities
-  Mount Barker 50cm Orthomosaic - Landgate 2007

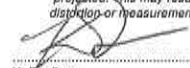


Scale 1:20000

(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 19/4/12

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.: 4876/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Steven John and Bradley Ian Lynch

### 1.3. Property details

Property: LOT 103 ON DIAGRAM 90449 ( MOUNT BARKER 6324)  
Local Government Area: Shire of Plantagenet  
Colloquial name:

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: GRANT  
Decision Date: 19 April 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
Beard Vegetation Association: 968 - Medium woodland; jarrah, marri & wandoo (Shepherd, 2009).	The vegetation under application consists of approximately 50 mature paddock trees within Lot 103 on Diagram 90449, Mount Barker that is predominantly cleared for agriculture.  The application area is currently cropped and grazed and the proposed clearing is in order to improve manoeuvrability of farming machinery.  The applicant has advised that the vegetation under application consists of mature wandoo trees with flooded gums in the vicinity of the drainage lines.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994)	Vegetation description and condition was determined through aerial imagery and information provided by the applicant.

## 3. Assessment of application against clearing principles

### Comments

The application is to clear up to 50 mature paddock trees in order to improve manoeuvrability of farming machinery through the cropping area.

The application area is within a local area (10 kilometre radius) that is extensively cleared for agriculture, with approximately 10 per cent native vegetation remaining. The vegetation is in completely degraded (Keighery, 1994) condition and is not representative of the mapped vegetation type.

The 504 hectare property is approximately 39 per cent vegetated, with approximately 200 hectares of remnant vegetation remaining. The remnant vegetation, which contains a minor watercourse, is fenced off from the cropping areas and is part of a larger network of native vegetation through the landscape that is connected by vegetated watercourses and roadside vegetation corridors. The paddock trees proposed to be cleared are isolated from this remnant vegetation and therefore the proposed clearing is not likely to impact upon the linkage and connectivity of remnant vegetation in the local area.

The vegetation under application is within the breeding range for Carnaby's cockatoo (*Calyptorhynchus latirostris*) (DSEWPC, 2011), which is listed as Endangered under the state Wildlife Conservation Act 1950 and federal Environment Protection and Biodiversity Conservation Act 1999. Baudin's cockatoo (*Calyptorhynchus baudinii*) (Vulnerable, Wildlife Conservation Act 1950; Vulnerable, Environment Protection and Biodiversity Conservation Act 1999) and forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*) (Vulnerable, Wildlife Conservation Act 1950; Vulnerable, Environment Protection and Biodiversity Conservation



Act 1999) may also breed in the area and there is a record of Baudin's cockatoo from the southeast corner of the property.

Black cockatoos breed in hollows in very long-lived trees (DSEWPC, 2011). The vegetation under application consists of mature eucalypts, some of which have broken crowns that contain hollows (DEC, 2012). The Department of Environment and Conservation visited the application area on 2 April 2012 and considers the vegetation under application to contain a number of trees with potential roosting and nesting hollows for black cockatoos (DEC, 2012). The proponent advised that the large vegetated remnant on the property also supports numerous mature eucalyptus trees with broken crowns and hollows. Considering the local area is extensively cleared, the potential habitat trees within the application area may be significant for local fauna and the proposed clearing may be at variance to principle (b). Native vegetation conservation through a binding undertaking within an area of good (Keighery, 1994) or better condition vegetation that supports 50 habitat trees would mitigate potential impacts to black cockatoo breeding habitat.

Considering the condition of the vegetation under application, the proposed clearing is not likely to impact upon flora of conservation significance.

There is a vegetated watercourse mapped approximately 60 metres south of the northernmost clearing area. The vegetation under application in this area is isolated from the watercourse by cleared farmland and the proposed clearing is not likely to impact upon the watercourse.

The small scale of the proposed clearing is not likely to result in appreciable land degradation, water quality deterioration or increased flood risk.

Considering the above, the proposed clearing may be at variance to principle (b) and is not likely to be at variance to the remaining clearing principles.

#### Methodology

##### References:

- DEC, 2012
- DSEWPC, 2011
- Keighery, 1994
- GIS Databases:
  - Hydrography, linear
  - Mount Barker 50cm Orthomosaic - Landgate 2007
  - NLWRA, Current Extent of Native Vegetation - DEC 08/11
  - SAC Biodatasets (Accessed 27/02/2012)

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

#### Comments

The majority of the trees proposed to be cleared are isolated paddock trees that appear to be at least 50 metres from any other native vegetation, however some are within 50 metres of each other.

The proponent has maintained good stewardship of the property in relation to its conservation values including actions such as preservation of the remnant bushland through fencing, revegetation and realignment of paddocks based on soil types. Of the 504 hectare property approximately 200 hectares consist of remnant bushland. The proponent has advised that additional funding is currently being applied for in order to complete additional fencing of the vegetated branches of the watercourse through the property.

The application area is within the Environmental Protection Authority's (EPA) Position Statement No.2 which concludes that further clearing for agricultural purposes should not be considered (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 this Position Statement 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.

With regard to these exceptions DEC has determined that they have been met.

The property is zoned rural and is actively farmed.

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

No public submissions were made against this application.

#### Methodology

- ##### References:
- EPA, 2000



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Keighery, 1994

GIS Databases:

- Hydrography, linear

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The property is zoned rural and is actively farmed.

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

No public submissions were made against this application.

#### Methodology

##### References:

EPA, 2000

#### GIS Databases:

- Aboriginal Sites of Significance
- EPA Position Paper No 2 Agricultural Region
- Town Planning Scheme Zones

## 4. References

- DEC (2012) Site Inspection for Clearing Permit Application CPS 4876/1, 2 April 2012. Department of Environment and Conservation, Western Australia. DEC Ref: A491320
- DSEWPC (2011) Draft Referral Guidelines for Three Threatened Black Cockatoo Species, July 2011. Department of Sustainability, Environment, Water, Populations and Communities. Commonwealth of Australia.
- 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.
- 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)