



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 4918/1

File Number: 2012/001475-1

Duration of Permit: From 2 November 2012 to 2 November 2014

PERMIT HOLDER

York Racing (Inc)

LAND ON WHICH CLEARING IS TO BE DONE

Lot S100 on Deposited Plan 223250, York

Lot S101 on Deposited Plan 223250, York

Lot S102 on Deposited Plan 223250, York

Lot S106 on Deposited Plan 223250, York

Lot S110 on Deposited Plan 223250, York

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 2.61 hectares of native vegetation within the areas hatched yellow on attached Plan 4918/1.

CONDITIONS

1. 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.

2. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the areas shall be inspected by a *fauna specialist* who shall identify habitat/*habitat tree(s)* suitable to be utilised as habitat by fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice*.
- (b) Prior to clearing, any habitat/*habitat tree(s)* identified by condition 2(a) shall be inspected by a *fauna specialist* for the presence of fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice*.
- (c) Where fauna are identified in relation to condition 2(b) of this Permit, the Permit Holder shall ensure that no clearing of the identified habitat/*habitat tree(s)* occurs, unless approved by the CEO.

3. Records to be kept

The Permit Holder must maintain the following records in relation to fauna management pursuant to condition 2 of this Permit:

- (a) the location of each habitat tree identified 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; and
- (b) the species name of fauna reasonably likely to utilise, or that have been observed utilising, the habitat/*habitat tree(s)*.

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 to 2 August 2014, 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;

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;

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*; and

Wildlife Conservation (Specially Protected Fauna) Notice means those fauna taxa gazetted as rare fauna pursuant to section 14(4)(a) of the *Wildlife Conservation Act 1950* (as amended).

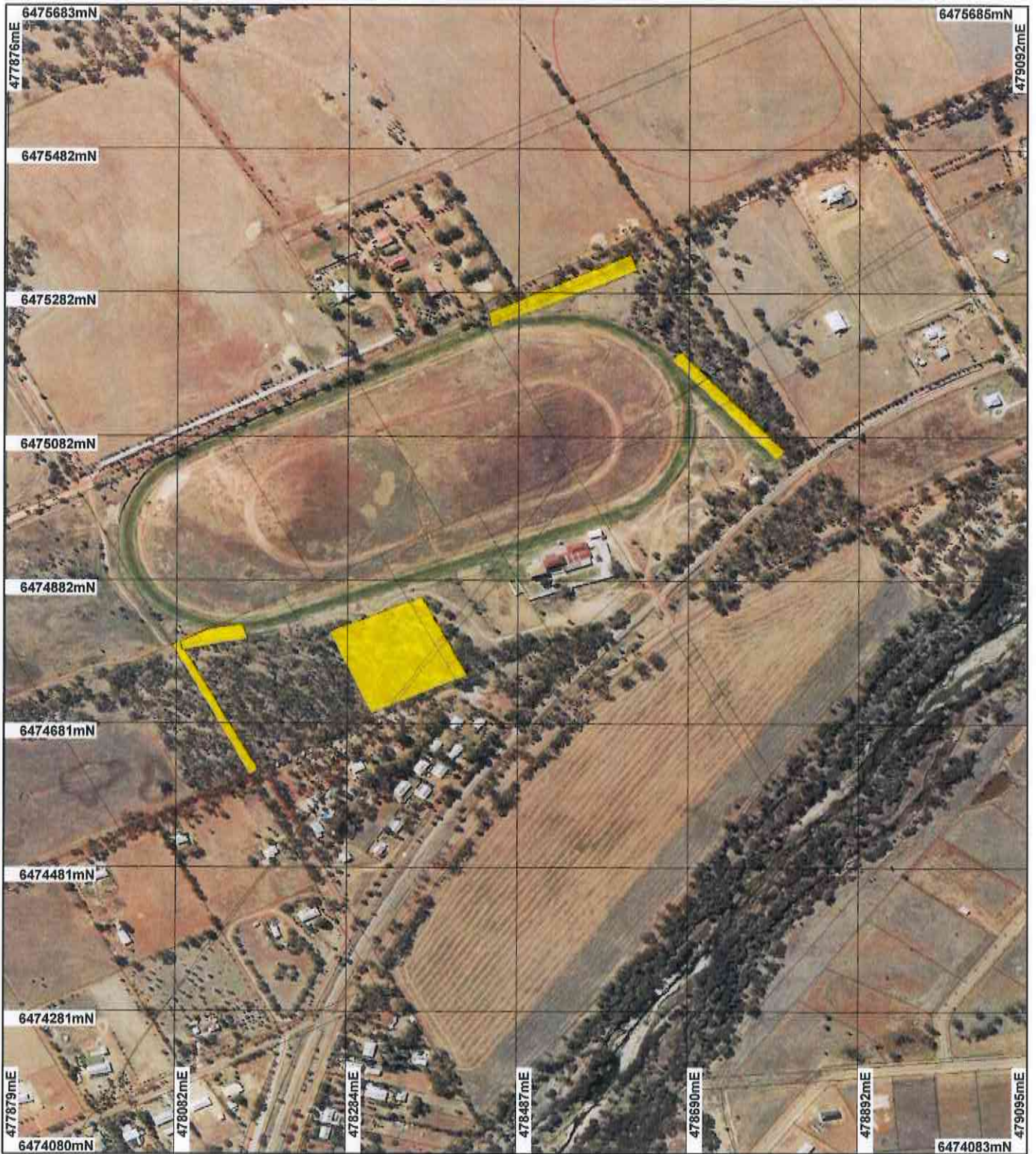


Roxane Shadbolt
A/MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

10 October 2012

Plan 4918/1



LEGEND

- | | |
|-----------------------------|----------------|
| Clearing instruments | → image index |
| Areas Approved to Clear | Recently added |
| Road Centrelines | Coverage |
| Cadastre | |



Scale 1:7111
(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.

R. Shadbolt Date 10/10/12

Roxane Shadbolt

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.: 4918/1

Permit type: Area Permit

1.2. Proponent details

Proponent's name: York Racing (Inc)

1.3. Property details

Property:
 LOT S101 ON PLAN 223250 (Lot No. 101 NORTH YORK 6302)
 LOT S106 ON PLAN 223250 (Lot No. 106 NORTH YORK 6302)
 LOT S110 ON PLAN 223250 (Lot No. 110 NORTH YORK 6302)
 LOT S100 ON PLAN 223250 (Lot No. 100 NORTH YORK 6302)
 LOT S102 ON PLAN 223250 (Lot No. 102 NORTH YORK 6302)

Local Government Area: Shire of York
 Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1.56		Mechanical Removal	Building or Structure
0.85		Mechanical Removal	Hazard reduction or fire control
0.2		Mechanical Removal	Road construction or maintenance

1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 10 October 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 mapped Beard vegetation association 352 is described as 'Medium woodland; York Gum' (Shepherd et al, 2001).	The application is for the proposed clearing of 2.61 ha within Lots 100,101,102, 106 and 110, for the purpose of clearing trees that are at risk of falling onto the racecourse and to create a new public carpark.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The vegetation condition and description was determined from a Department of Environment and Conservation (DEC) site visit undertaking on 19 April 2012 (DEC, 2012).
The mapped Mattiske vegetation complex of Yalanbee (Y6) is described as 'Woodland of Eucalyptus wandoo-Eucalyptus accedens, less consistently open forest of Eucalyptus marginata calophylla on lateritic uplands and breakaway landscapes in arid and perard zones' - Mattiske and Havel, 1998).	The four areas under application are very open, consisting predominantly of Eucalyptus loxophleba (York Gum) with scattered Eucalyptus wandoo (Wandoo) and a sparse middle storey of Acacia sp. and Hakea sp. There is no understory or ground cover layer however dense leaf litter occurs in places. There is evidence of a recent fire and weed invasion occurring.	To Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	

3. Assessment of application against clearing principles

Comments

The amended application to clear 2.61 ha within Lots 100,101,102, 106 and 110 is for the purpose of clearing trees that are at risk of falling onto the racecourse, an access track and new public carpark.

The initial assessment of this application determined that the application was at variance to principles (e) and (f), may be at variance to principles (b) and (i) and was not likely to be at variance to the remaining clearing principles. In response to the initial assessment the applicant has undertaken a trapdoor spider survey. The following assessment has been made taking into account the results of the trapdoor spider survey.

Eight fauna species of conservation significance have been recorded in the local area (10km radius) (DEC, 2007). Of these, three are listed as 'Rare or Likely to Become Extinct' under the Wildlife Conservation Act 1950; Shield-backed Trapdoor Spider (*Idiosoma nigrum*), Carnaby's cockatoo (*Calyptorhynchus latirostris*) and Baudin's cockatoo (*Calyptorhynchus baudinii*).

No habitat trees for black cockatoo species were identified within the proposed carpark area, however potential habitat trees were observed on the eastern boundary of the racetrack during a site inspection, including mature Eucalyptus wandoo, which is favoured by Carnaby's cockatoo for nesting sites (DEC, 2012). It is noted that the applicant has advised that the large, healthy trees within the proposed carpark area will be retained, but has not advised about the large, healthy trees within the other application areas. Fauna management practices requiring the applicant to check hollow bearing trees for fauna will ensure that no fauna is harmed during clearing.

Suitable habitat was identified with the application area for the Shield-backed Trapdoor Spider (*Idiosoma nigrum*). This species is known to favour granitic and loamy soils in Eucalyptus woodlands (DEC, 2012a). The habitat critical to the survival of this spider is known to consist of areas that support open York gum (*Eucalyptus loxophleba*), Salmon gum (*Eucalyptus salmonophloia*) and Wheatbelt Wandoo (*Eucalyptus capillosa*) woodland where the Jam tree (*Acacia acuminata*) forms a sparse understorey in heavy clay soils (Avon Catchment Council, 2007).

The Wheatbelt Natural Resource Management (Wheatbelt NRM) was commissioned by the applicant to undertake a targeted search for presence of Shield-backed Trapdoor Spiders. The Wheatbelt NRM visually inspected the area under application and did not identify any Shield-backed Trapdoor Spider burrows (Wheatbelt NRM, 2012).

One rare flora species has been recorded in the local area (10km radius) and mapped within the same vegetation and soil type as the application areas. This species prefers habitat consisting of heath, on white sands over laterite. This habitat was not observed during a site inspection (DEC, 2012).

The vegetation to be cleared is within an extensively cleared area which has approximately 10 per cent native vegetation remaining within a 10km radius of that application. Beard vegetation association 352 is poorly represented with 18 per cent remaining (111,029ha) in the Avon Wheatbelt bioregion. Matiske vegetation complex Yalanbee retains approximately 52 per cent and the Shire of York retains approximately 36 per cent vegetation cover.

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).

Vegetation association 352 and the local area retain less than the nationally recommended level, however the vegetation under application is not considered to be a significant remnant due to its predominately degraded (Keighery, 1994) condition, low biodiversity and limited fauna habitat. Therefore, the area under application is not likely to be a significant remnant is an area that has been extensively cleared.

The Avon River is approximately 600m to the southeast of the application area forming part of the Swan/Avon wetlands. A minor, non-perennial watercourse runs through the proposed carpark area therefore the proposed clearing contains vegetation associated with a watercourse and is at variance to Principle (f). Clearing of riparian vegetation around minor drainage lines may cause deterioration to surface water from increased sedimentation and runoff therefore the proposed clearing may be at variance to Principle (i).

The revised assessment determined that the proposed clearing is at variance to principle (f), may be at variance to principles (b) and (i) and is not likely to be at variance to the remaining clearing principles.

Methodology

References:

Avon Catchment Council (2007)
Commonwealth of Australia (2001)
DEC (2007)
DEC (2012)
DEC (2012a)
Government of Western Australia (2011)
Wheatbelt NRM (2012)

GIS Databases:

-SAC Bio datasets (Accessed 22 March 2012)
-Hydrology linear
-Pre European vegetation
-Soils, statewide
-NLWRA, Current Extent of Native Vegetation

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

Comments

The Shire of York (2012) has no objection to the proposed clearing and advised that no planning approvals are required for the proposed works.

The areas under application fall within a Rights in Water and Irrigation Act 1914 (RIWI) Area, the Avon River Catchment Area. This area is a surface water area and therefore, a permit to interfere with the bed and banks of the mapped watercourse is required. The applicant is advised to contact the Department of Water to discuss permit requirements.

The areas under application are zoned for 'Recreation and Open Space' under the local town planning scheme.

No public submissions have been received.

Methodology

References:

Shire of York (2012)

GIS Databases:

-Town Planning Scheme Zones

-RIWI Act Areas

4. References

- Avon Catchment Council (2007) Shield-backed trapdoor Spider (*Idiosoma nigrum*) Conservation Plan 2008-2013. Avon Catchment Council, Western Australia.
- 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 9/3/2012.
- DEC (2012) Site Inspection Report for Clearing Permit Application CPS 4918/1 Lots S100, S102, S106 and S110 Spencer Brook Road, York. Site inspection undertaken 19/4/2012. Department of Environment and Conservation, Western Australia (DEC REF A496012).
- DEC (2012a) Regional Advice for Clearing Permit Application CPS 4918/1 Lots S100, S102, S106 and S110 Spencer Brook Road, York. Received 12/4/2012. Department of Environment and Conservation, Western Australia (DEC REF A492411).
- Government of Western Australia (2011); 2011 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). WA Department of Environment and Conservation, Perth.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Mattiske, E.M. and Havel, J.J. (1998) Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment Australia.
- 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.
- Wheatbelt NRM (2012) A report on the presence of Shield-backed Trapdoor Spiders (*Idiosoma nigrum*) at the York Racecourse, in Western Australia's Central Wheatbelt, Prepared by Wheatbelt Natural Resource Management Inc., October 2012 (DEC Ref: A553508).

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)