



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

| | |
|-------------------------------|--------------------------------------|
| Purpose Permit number: | CPS 5106/2 |
| Permit Holder: | Mr Austen William Langford |
| Duration of Permit: | 7 September 2012 to 7 September 2022 |

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

- Purpose for which clearing may be done**
Clearing for the purpose of *apiary site* maintenance.
- Land on which clearing is to be done**

| Apiary site no. | Local Government Authority | District | Land tenure | Longitude | Latitude |
|-----------------|----------------------------|--------------|---|----------------|----------|
| 65 | 116.0357764 | -32.30662224 | State Forest 22 - CCWA | Perth Hills | 65 |
| 161 | 116.0760502 | -34.6818092 | Boorara-Gardner National Park - CCWA | Donnelly | 161 |
| 412 | 116.480615 | -32.33899385 | STATE FOREST 67 - CCWA | Perth Hills | 412 |
| 3206 | 116.4195225 | -32.25173412 | STATE FOREST 13 - CCWA | Perth Hills | 3206 |
| 3370 | 116.1954203 | -32.10216586 | STATE FOREST 22 - CCWA | Perth Hills | 3370 |
| 4380 | 116.1487219 | -31.57465028 | Moondyne Nature Reserve R41938 - CCWA | Perth Hills | 4380 |
| 4527 | 116.839022 | -32.75220055 | STATE FOREST 51 - CCWA | Great Southern | 4527 |
| 4597 | 116.0702911 | -32.0937653 | Local Government Reserve - Shire of Gosnells - Reserve 7415 - Parks and Recreation | Perth Hills | 4597 |
| 4678 | 116.0386108 | -32.08401134 | Local Government Reserve - Shire of Gosnells - Reserve 7415 - Parks and Recreation | Perth Hills | 4678 |
| 4883 | 115.5930753 | -29.76231414 | Land Act Reserve (Other) - Aboriginal Lands Trust - Indigenous Affairs 28609 - Use and benefit of Aboriginies (other) | Moora | 4883 |
| 5050 | 116.0572739 | -32.40221638 | SERPENTINE NATIONAL PARK - CCWA | Perth Hills | 5050 |

| Apiary site no. | Local Government Authority | District | Land tenure | Longitude | Latitude |
|-----------------|----------------------------|--------------|---|-------------|----------|
| 5228 | 116.0466223 | -32.38956607 | SERPENTINE NATIONAL PARK - CCWA | Perth Hills | 5228 |
| 5598 | 116.0227839 | -31.62268942 | Bullsbrook Nature Reserve 1654 - CCWA | Perth Hills | 5598 |
| 5857 | 116.3684036 | -32.11789502 | STATE FOREST 13 - CCWA | Perth Hills | 5857 |
| 6109 | 116.0856939 | -31.84598078 | STATE FOREST - CCWA | Perth Hills | 6109 |
| 6331 | 116.0454198 | -32.09794264 | Local Government Reserve - Shire of Armadale - Reserve 34155 - Parks and Recreation (Perth Hills District advised this area is managed by Regional Parks) | Perth Hills | 6331 |

3. Area of clearing

- (a) The Permit Holder must not clear more than 0.8 hectares of native vegetation in total.
- (b) The Permit Holder must not clear more than 0.05 hectares for each of the *apiary sites* described in condition 2 of this Permit.
- (c) The clearing described in conditions 3(a) and 3(b) of this Permit may only occur within a 500 metre radius of the coordinates of each *apiary site* described in condition 2 of this Permit, subject to the Permit Holder having the power to clear native vegetation for those activities under any written law.

4. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

5. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation within *apiary sites* described in condition 2 and the type of clearing in condition 3 of this Permit to the extent of activities permitted under an authority granted to the Permit Holder under Part 8A of the *Conservation and Land Management Regulations 2002*.

6. Clearing not authorised

This Permit does not authorise the Permit Holder to clear trees that have a diameter, at average adult human chest height, of 10 centimetres or greater.

PART II – MANAGEMENT CONDITIONS

7. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- (a) avoid the clearing of native vegetation;
- (b) minimise the amount of native vegetation to be cleared; and
- (c) reduce the impact of clearing on any environmental value.

8. Method of clearing

- (a) The Permit Holder must comply with the directions of the relevant District Apiary Officer of the Department of Parks and Wildlife prior to undertaking clearing within *apiary sites* described in condition 2 of this Permit.
- (b) The Permit Holder may only clear native vegetation using minimal impact methods, such as hand mowers or raking.

9. Dieback and 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* and *dieback*:

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

PART III – RECORD KEEPING AND REPORTING

10. Records must be kept

The Permit Holder must maintain the following records in relation to the clearing of native vegetation authorised under this Permit:

- (a) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings and/or decimal degrees;
- (b) the date that the area was cleared; and
- (c) the size of the area cleared (in hectares).

11. 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 9 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 30 June of each year.
- (c) Prior to 7 June 2022, the Permit Holder must provide to the CEO a written report of records required under condition 9 of this Permit where these records have not already been provided under condition 10(a) of this Permit.

DEFINITIONS

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

apiary site/s means the land specified in an apiary authority as the land to which an apiary licence granted under Part VIII Division 2 of the CALM Act, or an apiary permit granted under Part VIII Division 1 of the CALM Act;

CALM Act means the *Conservation and Land Management Act 1984*;

dieback means the effect of *Phytophthora* species on native vegetation;

dry conditions means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

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; and

weed/s mean any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in a Department of Parks and Wildlife Regional Weed Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



JAMES WIDENBAR
MANAGER
CLEARING REGULATION

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

30 June 2017



1. Application details

1.1. Permit application details

Permit application No.: 5106/2
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Mr Austen Langford

1.3. Property details

Property: Various locations within Western Australia
Local Government Authority: Various

1.4. Application

| Clearing Area (ha) | No. Trees | Method of Clearing | For the purpose of: |
|--------------------|-----------|--------------------|---------------------|
| 0.8 | | Mechanical Removal | Apiculture |

1.5. Decision on application

Decision on Permit Application: Granted

Decision Date: 30 June 2017

Reasons for Decision: The clearing permit application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986*.

The Delegated Officer determined that the proposed clearing may be at variance to clearing principles (f) and (h) and is not likely to be at variance to the remaining clearing principles.

Implementing hygiene management practices will limit the risk of weeds and dieback spreading within conservation estate.

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 proposed clearing falls within various vegetation associations between Geraldton and Esperance. | Clearing of 0.05 hectares of regrowth within 16 apiary sites, totalling 0.8 hectares. | Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994). | The vegetation condition was ascertained through aerial imagery. |

3. Assessment of application against clearing principles

Comments The application is to clear up to 0.8 hectares of native vegetation across 16 apiary sites within various properties, State Forests, Timber Reserves, Crown Leases, Crown Reserves and unallocated Crown land parcels across the mid and south west of Western Australia. The apiary sites are located within areas permitted under the *Conservation and Land Management Act 1984* (CALM Act).

The proposed clearing may be in the form of minimal impact methods such as pruning, scrub rolling or slashing vegetation. Up to approximately 0.05 hectares may be necessary within each apiary site for access or placement of beehives. Clearing for a firebreak may also be required and has been factored into the 0.05 hectares.

Several of the apiary sites occur within close proximity to records of rare and priority flora, however as the apiary sites have been approved for use by the Department of Parks and Wildlife (Parks and Wildlife) and have previously been cleared, it is considered that the apiary sites are unlikely to comprise a high level of biodiversity and that the proposed clearing is unlikely to have a detrimental impact on rare or priority flora.

Several of the apiary sites occur within 200 metres of watercourses or wetlands. The application therefore may involve clearing wetland dependent vegetation. Noting the relatively small scale of the proposed clearing, it is considered that impacts to riparian vegetation and water quality are unlikely to be significant.

Several of the apiary sites are located within conservation areas managed by Parks and Wildlife. Noting the relatively small scale of the proposed clearing at each site, it is considered that the proposed clearing is unlikely to significantly impact on the environmental values of these conservation areas. However it is considered that accessing and working within the apiary sites will increase the risk of introduction and spread of weeds and dieback within these conservation areas. Hygiene management practices will minimise this risk.

Noting the relatively small scale of the proposed clearing, that the apiary sites have been approved for use by Parks and Wildlife and have previously been cleared, it is considered that the proposed clearing is unlikely to have a significant impact on fauna habitat, threatened or priority ecological communities, the incidence or intensity of flooding, the quality of surface or ground water or land degradation. It is also considered that the apiary sites are unlikely to be significant as remnants of native vegetation within a highly cleared landscape.

Given the above, the proposed clearing may be at variance to clearing principles (f) and (h) and is not likely to be at variance to the remaining clearing principles.

Methodology GIS Datasets:
Department of Parks and Wildlife Tenure
Hydrography, linear (hierarchy)
SAC Biodatasets June 2017

Planning instruments and other relevant matters.

Comments Apiarists generally have a preference to use existing cleared areas for apiary site locations and existing tracks/firebreaks for access them, to keep maintenance to a minimum. However, in some cases apiary sites may not have been used for a number of years and clearing of regrowth may be required.

Approvals to establish apiary sites are managed under the CALM Act. As part of this process, authority to access lands is obtained from the relevant land managers.

Parks and Wildlife's 'General Conditions for using Apiary Authorities on Crown Land in Western Australia' state that an apiarist must liaise with the local Parks and Wildlife apiary officer to gain final approval prior to using or entering a nominated apiary site, and that if an apiary site is no longer suitable for use the local Parks and Wildlife officer can request the apiarist to relocate (Parks and Wildlife, 2013).

On 28 February 2017 the Department of Environment Regulation (DER) received an application from Mr Austen Langford to clear 0.8 hectares of native vegetation within 16 sites for the purpose of apiary site maintenance.

On 12 April 2017 the application was advertised online and in *The West Australian* newspaper for a fourteen day submission period. No public comments were received.

Methodology References:
Department of Parks and Wildlife (2013)

4. References

- Department of Parks and Wildlife (2013) General Conditions for using Apiary Authorities on Crown Land in Western Australia. Department of Parks and Wildlife, 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.



1. Application details

1.1. Permit application details

Permit application No.: 5106/2
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Mr Austen William Langford
Postal address: 302 Wattleup RD
WATTLEUP WA 6166
Contacts: Name: Mr Austen William Langford
Phone: 94371774
Fax: 94371774
Email: honeyman@andllangford.com.au

1.3. Property details

| Apiary site no. | Local Government Authority | District | Land tenure | Longitude | Latitude |
|-----------------|----------------------------|--------------|---|----------------|----------|
| 65 | 116.0357764 | -32.30662224 | State Forest 22 - CCWA | Perth Hills | 65 |
| 161 | 116.0760502 | -34.6818092 | Boorara-Gardner National Park - CCWA | Donnelly | 161 |
| 412 | 116.480615 | -32.33899385 | STATE FOREST 67 - CCWA | Perth Hills | 412 |
| 3206 | 116.4195225 | -32.25173412 | STATE FOREST 13 - CCWA | Perth Hills | 3206 |
| 3370 | 116.1954203 | -32.10216586 | STATE FOREST 22 - CCWA | Perth Hills | 3370 |
| 4380 | 116.1487219 | -31.57465028 | Moodyne Nature Reserve R41938 - CCWA | Perth Hills | 4380 |
| 4527 | 116.839022 | -32.75220055 | STATE FOREST 51 - CCWA | Great Southern | 4527 |
| 4597 | 116.0702911 | -32.0937653 | Local Government Reserve - Shire of Gosnells - Reserve 7415 - Parks and Recreation | Perth Hills | 4597 |
| 4678 | 116.0386108 | -32.08401134 | Local Government Reserve - Shire of Gosnells - Reserve 7415 - Parks and Recreation | Perth Hills | 4678 |
| 4883 | 115.5930753 | -29.76231414 | Land Act Reserve (Other) - Aboriginal Lands Trust - Indigenous Affairs 28609 - Use and benefit of Aboriginies (other) | Moora | 4883 |
| 5050 | 116.0572739 | -32.40221638 | SERPENTINE NATIONAL PARK - CCWA | Perth Hills | 5050 |
| 5228 | 116.0466223 | -32.38956607 | SERPENTINE NATIONAL PARK - CCWA | Perth Hills | 5228 |
| 5598 | 116.0227839 | -31.62268942 | Bullsbrook Nature Reserve 1654 - CCWA | Perth Hills | 5598 |
| 5857 | 116.3684036 | -32.11789502 | STATE FOREST 13 - CCWA | Perth Hills | 5857 |
| 6109 | 116.0856939 | -31.84598078 | STATE FOREST - CCWA | Perth Hills | 6109 |
| 6331 | 116.0454198 | -32.09794264 | Local Government Reserve - Shire of Armadale - Reserve 34155 - Parks and Recreation (Perth Hills) | Perth Hills | 6331 |

| Apiary site no. | Local Government Authority | District | Land tenure | Longitude | Latitude |
|-----------------|----------------------------|----------|--|-----------|----------|
| | | | District advised this area is managed by Regional Parks) | | |

1.4. Application

| | | | |
|--------------------|-----------|--------------------|---------------------|
| Clearing Area (ha) | No. Trees | Method of Clearing | For the purpose of: |
| 0.8 | | Mechanical Removal | Apiculture |

1.5. Correspondence in QA

Date:

Description:

2. Background

2.1. History

| Date | Comments |
|---------------|--|
| 28 June 2017 | Officer Gleeson called Mr Langford and left a voice mail regarding the waiving of the 28 day notice period and granting the permit, and asking Mr Langford to call her back. |
| 28 June 2017 | Officer Gleeson emailed Mr Langford after a phone conversation. She advised him to waive the 28 day notice period so that DER can grant the permit. Mr Langford replied stating that he wished the waive the 28 day notice period. (DER REF A1462983) |
| 22 June 2017 | Notice of Proposed Surrender sent Registered Post (51013444424015). |
| 22 June 2017 | Second Notice of Proposed Amendment sent. (DER REF: A1458930), changed total clearing from 0.85ha to 0.8ha, and apiary site 3626 removed totally 16 sites. |
| 16 June 2017 | Ms Stonier emailed Officer Gleeson advising that based on email corro from the City of Armadale, site 6331 is okay to stay on Mr Langford's list of apiary sites. (DER REF : A1452061) |
| 15 June 2017 | Ms Stonier emailed Officer Gleeson with teh official transfer copy of site 3626 out of Mr Langford's name. (DER REF A1451783) |
| 15 June 2017 | Ms Caroline Stonier (DPaW) emailed officer Gleeson with an update on the apiary site issues. Site 6331 is currently still unresolved. (DER REF A1451707) |
| 15 June 2017 | Email received from Ms Christine Burtenshaw (City of Armadale) requesting to withdraw comments provided on 9 May 2017, as a result of advice received from the DPaW. (DER REF: A1452815) |
| 15 June 2017 | Officer Gleeson Called Mr Langford and left a voice mail asking him to call back regarding the Apiary sites clearing permits. |
| 12 June 2017 | Officer Gleeson phoned Ms Caroline Stonier (DPaW) to follow up on the status of Apiary site 6331, with no answer. |
| 07 June 2017 | Officer Gleeson called and left a voicemail for Ms Stonier on the update of the apiary site and if it had been resolved. |
| 01 June 2017 | Ms Stonier emailed Officer Gleeson advising that she is actioning the apiary sites. (DER REF A1451775) |
| 19 May 2017 | Officer Gleeson emailed Ms Caroline Stonier to find out the status on resolving site 6331, as the City of Armadale do not approve of the Apiary site, however the Apiary site appears to have been granted previously (DER REF A1451771) |
| 16 May 2017 | the City of Swan emailed Officer Gleeson advising that there are no records of an apiary site on the crown reserve (DER REF A1451809) |
| 11 May 2017 | Ms Caroline Stonier advised that site 3626 has been transferred out of Mr Langford's name. (DER REF A1451756) |
| 11 May 2017 | Officer Gleeson wrote to the City of Wanneroo (CoW) advising that the site within CoW (3626) has been transferred out of Mr Langford's names and will be removed from the clearing permit amendment of 5106/2 (DER REF A1451751). C |
| 09 May 2017 | Email received from Ms Christine Burtenshaw (City of Armadale), advising the City does provide approval for the clearing of native vegetation within the Canning Mills Reserve, and that the referenced site extracted from DER's email titled 'CPS 5106/2 Apiary Site Location, is vested in and managed by the City of Armadale not DPaW. DER REF: A1425836). |
| 03 May 2017 | Officer Gleeson checked the tenure of the apiary site located in Shire of Mundaring, and noted it was located within John Forrest National Park. Given this, it is not located with the Shire of Mundaring's local reserves and therefore does not require planning approval. |
| 01 May 2017 | Direct interest email sent to the Cities of Wanneroo, Chittering, Swan, Gosnells, Armadale and Shires of Mundaring, Toodyay, Beverley, Wandering, Manjimup and Serpentine Jarrahdale (DER REF: A1451744). Submission required by 21 April 2017. |
| 01 May 2017 | Direct interest email was not sent until the 1 May due to a technical error. The email was in outbox when the delegated officer sending the email shut off the computer and went on leave for 3 weeks. Email received from Ms Briony Moran (Shire of Mundaring) advising that clearing for installation of beehives within local reserves would require planning approval under the Shire's Local Planning Scheme No 4. (DER REF: A1421348). |
| 07 April 2017 | Application to Amend Accepted and Notice of Proposed Amendment (DER REF: A1410732). Advertised online 12 April 2017 for 14 day submission period. Publication summary advertised in <i>The</i> |

07 April 2017 *West Australian* on Monday 17 April 2017. Request to extend the permit duration until 7 September 2022 and to include apiary site 3636, reduce the list of apiary sites from 23 to 17 sites. Application to Amend Accepted and Notice of Proposed Amendment sent Registered Post (51007474111014).

03 April 2017 Officer Gleeson called Mr Langford and explained the site he wished to add to the clearing amendment 3226, did not belong to him. Mr Langford said that the site was actually 3626, which does belong to him and wished the clearing amendment to reflect this. Mr Langford sent an email confirming that site 3626 was the site he wished to add to the CPS amendment (DER REF A1409378)

28 March 2017 Officer Gleeson requested DPaW for Mr Austen Langfords Apiary sites. Ms Petra Kohn (DPaW) sent Mr Langfords apiary sites (DER REF A1409383)

28 February 2017 Application to amend received (DER REF: A1384565). Reason: add apiary site 3226.

3. Contentious Issues / Notes to Decision Maker

Apiary site 3626 was removed from the list of sites under this clearing permit. This was on advice from Department of Parks and Wildlife that site 3626 had been transferred out of Austen Langford's name.

4. Applications in the local area

Below is a table of relevant applications from the local area. Attached is a map depicting their location in relation to the application area.

| CPS Number | Applicant | Distance | Decision | Conditions/comment |
|------------|-----------|----------|----------|--------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |