



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 5144/1  
File Number: 2012/004622-1  
Duration of Permit: From 19 October 2012 to 19 October 2014

### PERMIT HOLDER

Robert Dean Hart  
Melanie May Lamb

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 64 on Deposited Plan 60250, Windabout

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 1 hectare of native vegetation within the area hatched yellow on attached Plan 5144/1.

### CONDITIONS

#### 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*:

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

### DEFINITIONS

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

*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;

*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*.

Roxane Shadbolt

Roxane Shadbolt  
A/MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

27 September 2012







# CPS 5144/1 - Plan



## LEGEND

### Clearing Instruments

-  Areas Approved to Clear
-  Road Centrelines
-  Cadastral\_1
-  Esperance Townsite 20cm
-  Orthomosaic - Landgate
-  2007



0 150 m

Scale 1:6028

(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 27/9/12

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.: 5144/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Robert Dean Hart and Melanie May Lamb

### 1.3. Property details

Property: LOT 64 ON PLAN 60250 (WINDABOUT 6450)  
Local Government Area: Shire of Esperance  
Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1		Mechanical Removal	Building or Structure

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 27 September 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 7048 is described as: Shrub lands; Banksia scrub-heath on coastal plain in the Esperance Plains Region (Shepherd et al, 2001).	The application is to clear 1 hectare of native vegetation within Lot 64 on Deposited Plan 60250 for the purpose of constructing a house and clearing of fire protection zones. Banksia speciosa is the dominant vegetation within the application area and surrounding reserve (DEC 2012).	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The vegetation condition and clearing description were ascertained through a site visit undertaken by regional Department of Environment and Conservation staff and aerial photography (DEC 2012).

## 3. Assessment of application against clearing principles

### Comments

The application is to clear one hectare of native vegetation within Lot 64 on Deposited Plan 60250 for the purpose of constructing a house and clearing of fire protection zones. Part of this application falls within an environmentally sensitive area (ESA) and is therefore, not exempt from the clearing application process.

There are mapped records of 19 avian species of conservation significance in the local area (10km radius) (DEC2007-). Sixteen of these are listed as internationally significant and three are listed as rare or likely to become extinct under the Wildlife Conservation Act 1950, these are Calyptorhynchus latirostris (Carnaby's Cockatoo), Catharacta antarctica subsp. lonnbergi (Subantarctic Skua), and Cereopsis novaehollandiae subsp. grisea (Recherche Cape Barren Goose). Given the application area falls partially within a Ramsar wetland and the surrounding vegetation is very similar to the application area (DEC 2012), there is a high probability that the application area is potential habitat for these species.

Six other priority fauna species have been recorded in the local area. While three of these are also avian species, one reptile (Acanthophis antarcticus P3) and two mammals (Macropus irma P4 and Isoodon obesulus subsp. fusciventer P5) were also recorded. Both of the mammal species listed prefer seasonally wet/swampy environments (DEC 2012a) which is consistent with the area under application. Although the application area may be frequented by migratory bird species and priority fauna species it is not likely to be a significant habitat and is therefore, not likely to be at variance to principle (b).

The application area falls 200m to the south and 400m to the east of a Ramsar wetland, Wheatfield Lake and Woody Lake, and is partially within the ESA covering this system. An inundated area can be seen on aerial imagery in close proximity to and within the application area (Esperance Townsite 20cm Orthomosaic Landgate 2007). Given that the vegetation under consideration is within or associated with a wetland the application is at variance to principle (f).

Given that the application area is within 35m of the Woody Lake conservation reserve, development may increase the spread of weeds and dieback into the reserve. Therefore this proposal may be at variance to principle (h). Weed and dieback management practices will assist in mitigating the risk of weeds and dieback spreading into the conservation reserve.

Department of Water has advised that although the application area is close to a conservation wetland, the site meets the minimum setback required under the Country Sewerage Policy (Department of Water 2012). The application is therefore, not likely to be at variance to principle (i).

The proposed clearing of one hectare of native vegetation is at variance to principle (f) may be at variance to principle (h) and is not likely to be at variance to the remaining clearing principles.

#### Methodology

##### References

- DEC (2007-)
- DEC (2012)
- Department of Water (2012)

##### GIS Databases

- Esperance Townsite 20cm Orthomosaic (DLI 2007)
- SAC Biodatasets (accessed Aug 2012)
- Hydrography, Linear (2004)
- Existing DEC Managed Lands and Waters (2011)
- Ramsar Sites Western Australia (2009)
- Clearing Regulations, Environmentally Sensitive Areas (2009)
- Pre European Vegetation (DA 2001)

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

#### Comments

The application is to clear 1 hectare of vegetation within a rural residential block for the purpose of constructing a house and clearing for the building protection zones required under the Shire of Esperance Guidelines. The application would be exempt from a clearing application if part of the application did not fall within an ESA.

The application area falls within a proclaimed groundwater area under the Rights in Water and Irrigation Act. Department of Water (2012) advice states that household use is exempt from groundwater licensing.

The application adheres to the Esperance Town Planning Scheme number 23 in which no more than 50 percent of a block can be cleared of native vegetation.

A fire management plan has been prepared for the area under application and is noted on the certificate of title. This document requires a 30 metre building protection zone to be present around all buildings (Fire Plan WA, 2007).

The applicant has stated that they require one hectare of clearing as one side of the block will contain a house and the other a large shed and possible second accommodation.

The applicant and the Shire of Esperance have stated that the building envelopes will need to be cleared in order for plans to be submitted to the Shire. The Shire has issued planning approval to clear the application area (Shire of Esperance 2012)

#### Methodology

##### GIS Databases

- Town Planning Scheme (Regional) (2012)

### 4. References

- DEC (2007 - ) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed 14/08/2012
- DEC (2012) Advice for land clearing application. Advice to Assessing Officer, Native Vegetation Assessment Branch, Department of Environment and Conservation (DEC), received 29/8/2012. Department of Environment and Conservation, South Coast Region, Western Australia.
- DEC (2012a) Fauna Species Profiles: *Macropus irma* and *Isoodon obesulus* subsp. *fusciventer* Accessed at <http://www.naturebase.net> Accessed 30/08/2012. Department of Environment and Conservation, Western Australia.
- Department of Water (2012) Advice for land clearing application. Advice to Assessing Officer, Native Vegetation Assessment Branch, Department of Environment and Conservation (DEC), received 6/8/2012. Department of Water, South Coast Region, Western Australia.
- Fire Plan WA (2007) Fire Management Plan lot 111 Tranquil Drive Esperance, Shire of Esperance. Fire Plan WA, Thornlie 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., 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)