



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 5206/1  
File Number: 2012/005866-1  
Duration of Permit: 2 November 2012 to 2 November 2019

### PERMIT HOLDER

Colin Michael Piacentini

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 300 on Deposited Plan 72189, PICTON.

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.74 hectares of native vegetation within the area hatched yellow on attached Plan 5206/1.

### CONDITIONS

#### 1. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 2 November 2014.

#### 2. Retain vegetative material and topsoil, revegetation and rehabilitation

In relation to the area hatched red on attached Plan 5206/1 (Lot 50 on Deposited Plan 2249, PICTON) the Permit Holder shall:

- (a) retain the vegetative material and topsoil removed by clearing authorised under this Permit and stockpile the vegetative material and topsoil in an area that has already been cleared.
- (b) within 6 months following clearing authorised under this permit, *revegetate* and *rehabilitate* the area hatched red on attached Plan 5206/1 by:
  - (i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land; and
  - (ii) ripping the ground on the contour to remove soil compaction; and
  - (iii) laying the vegetative material and topsoil retained under condition 2(a) on the area hatched red on attached Plan 5206/1.
- (c) within 18 months of laying the vegetative material and topsoil on the area hatched red on attached Plan 5206/1 in accordance with condition 2(b) of this Permit:
  - (i) engage an *environmental specialist* to determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and
  - (ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under condition 2(c)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, *revegetate* the area by deliberately *planting* and/or *direct seeding* native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area and ensuring only *local provenance* seeds and propagating material are used.

- (d) Where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 2(c)(ii) of this permit, the Permit Holder shall repeat condition 2(c)(i) and 2(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (e) Where a determination by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, as determined in condition 2(c)(i) and (ii) of this permit, that determination shall be submitted for the CEO's consideration. If the CEO does not agree with the determination made under condition 2(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 2(c)(ii).

### 3. Records to be kept

In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 2 of this Permit:

- (i) the location of any areas *revegetated* and *rehabilitated*, 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;
- (ii) a description of the *revegetation* and *rehabilitation* activities undertaken;
- (iii) the size of the area *revegetated* and *rehabilitated* (in hectares);
- (iv) the species composition, structure and density of *revegetation* and *rehabilitation*, and

### 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 2019 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:

***direct seeding*** means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species;

***environmental specialist*** means a person who is engaged by the Permit Holder for the purpose of providing environmental advice, who holds a tertiary qualification in environmental science or equivalent, and has experience relevant to the type of environmental advice that an environmental specialist is required to provide under this Permit;

***local provenance*** means native vegetation seeds and propagating material from natural sources within 50kms kilometres of the area cleared.

***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;

***planting*** means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

***regenerate/ed/ion*** means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) contained either within the topsoil or seed-bearing *mulch*;

*rehabilitate/ed/ion* means actively managing an area containing native vegetation in order to improve the ecological function of that area;

*revegetate/ed/ion* means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area;



Roxane Shadbolt  
A/MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

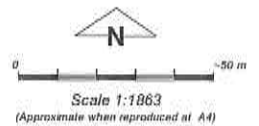
11 October 2012

# Plan 5206/1



## LEGEND

- |  |   |   |
|--|---|---|
| <ul style="list-style-type: none"> <li> Road Centrelines</li> <li> Cadastre for labelling</li> <li> Freehold</li> <li> Crown Reserve</li> <li> State Forest / Timber Reserve</li> <li> Marine Park (cont)</li> </ul> | <ul style="list-style-type: none"> <li> Crown Lease</li> <li> Lease / Reserve</li> <li> Lease on State Forest / Timber Reserve</li> <li> Public Roads</li> <li> Unallocated Crown Land</li> <li> Water</li> <li> Clearing Instruments (cont)</li> </ul> | <ul style="list-style-type: none"> <li> Areas Applied to Clear</li> <li> Areas Subject to Conditions</li> <li> Areas Approved to Clear</li> </ul> <p><b>Bunbury Townsite 20cm Orthomosaic - Landgate 2007</b></p> |
|--|---|---|



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 11/10/12  
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.



\* 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.: 5206/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Colin Michael Piacentini

### 1.3. Property details

Property: LOT 300 ON PLAN 72189 ( PICTON 6229)  
Local Government Area: City of Bunbury  
Colloquial name:

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 11 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
<p>The vegetation under application is mapped as:</p> <p>Beard vegetation association: 1182: Medium woodland; Eucalyptus rudis and Melaleuca raphiophylla (Shepherd et al 2001)</p> <p>Heddle vegetation complex: Southern River Complex: Open woodland of Corymbia calophylla (Marri), Eucalyptus marginata (Jarrah), Banksia species with fringing woodland of Eucalyptus rudis (Flooded Gym) and Melaleuca raphiophylla (Swamp Paperbark) along creek beds.</p> <p>Heddle vegetation complex: Swan Complex Fringing woodland of Eucalyptus rudis (Flooded Gym) and Melaleuca raphiophylla (Swamp Paperbark) with localised occurrence of low open forest of Casuarina obesa (Swamp Sheoak) and Melaleuca cuticularis (Saltwater Paperbark) (Heddle et al 1980).</p>	<p>The proposed clearing of 0.74 hectares of native vegetation within Lot 300 on DP 72189 for the purpose of carpark and hardstand construction.</p> <p>Portions of the area under application (~0.2ha) have been cleared and consist of bitumen areas and are in a completely degraded (Keighery, 1994) condition.</p> <p>The remaining vegetation (~ 0.54) is in a degraded (Keighery, 1994) condition</p>	<p>Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)</p> <p>To</p> <p>Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)</p>	<p>The vegetation condition and description was determined from aerial photography (Bunbury Townsite 20cm Orthomosaic Landgate 2007).</p>

## 3. Assessment of application against clearing principles

### Comments

The application to clear up to 0.74 hectare of native vegetation for the purpose of carpark and hardstand construction. Aerial photography indicates that the area under application is in a degraded (Keighery 1994) condition.

The area under application is 40 m south west of the Ferguson River and is mapped as a multiple use wetland. Therefore, it is considered to contain riparian vegetation and the proposed clearing is likely to be at variance to principle (f).

It is considered for the proposed clearing to occur within a highly cleared area as there is approximately 20 per cent of the pre-European vegetation remaining within the local area (10 km radius) and there is 24 per cent vegetation remaining in the City of Bunbury. The area under application has been identified as being apart of a significant regional south to north ecological linkage and a part of the Ferguson River ecological linkage by the EPA (2008). Although, the application area is in a degraded (Keighery 1994) condition as it is a part of an ecological linkage and occurs within a highly cleared area, the proposed clearing may be at variance to principle (e). The applicant proposes to undertake revegetation of 0.3 hectares within the adjoining property within an old car park area (MPM Development Consultants 2012) which will reduce this impact of the proposed clearing.

Given, the small area proposed to be cleared (0.74ha) and its degraded (Keighery 1994) condition, it is not considered likely for the proposed clearing to contain significant fauna habitat or contain a high level of biological diversity. In addition, there are no records of rare flora or threatened ecological communities in the vicinity of the proposed clearing.

Given its small size (0.74ha) it is also not considered for the proposed clearing to cause or exacerbate land degradation or flooding or cause deterioration of water quality.

The assessment of the application identified that the clearing is at variance to Principle (f), may be at variance to Principle (e) and is not likely to be at variance to the remaining clearing Principles.

#### Methodology

##### References

- Keighery, (1994)
  - EPA (2008)
  - MPM Development Consultants (2012)
- ##### GIS Databases
- SAC Bio datasets (5/9/2012)
  - Pre-European vegetation
  - Hydrography linear
  - DEC Managed areas
  - NWLRA, Extent of native vegetation

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

#### Comments

The application to clear up to 0.74 hectare of native vegetation for the purpose of carpark and hardstand construction.

The area under application occurs within the Preston Park Industrial Area. The EPA recommends that all remnant vegetation within the Preston Industrial Park is considered to be regionally significant and should be retained. It is recommended that the vegetation in its entirety be reserved as Regional Open Space in future amendment to the GBRS and appropriately managed (EPA 2008).

The area under application is a part of remnant vegetation that occurs within Area C which has been identified by the EPA as meeting four criteria for regional conservation significance. Area C is particularly significant for regional ecological linkage, providing linkage from north and west of the Preston industrial Park through to the Darling and Whicher Scarps. Therefore this area connects major landforms in the Greater Bunbury Region (EPA 2008).

The EPA (2012) has advised that they do not object to the proposed clearing given that it is in a degraded condition.

The applicant proposes to undertake revegetation of 0.3 hectares within the adjoining property within an old car park area (MPM Development Consultants 2012).

No submissions from the public have been received.

City of Bunbury (2012) advises a development approval is required. An application has not been received by the City.

The area under application is zoned industrial under the Greater Bunbury Regional Scheme.

#### Methodology

##### References

- City of Bunbury (2012)
  - EPA (2008)
  - EPA (2012)
  - MPM Development Consultants (2012)
- ##### GIS Databases
- Town Planning Scheme Zones

#### 4. References

- EPA (2008) Advice on areas of conservation significance in the Preston Industrial Park. Bulletin 1282.
- City of Bunbury (2012) Direct interest submission for CPS 5206/1. DEC ref A544351
- EPA (2012) Direct Interest Advice received for CPS 5206/1 - CM Piaconti - Lot 300 on Plan 72189 Picton. DEC ref A554358
- Hedde, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, 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.
- MPM Development Consultants (2012) Clearing Permit Application and supporting documents for Lot 300 on Deposited Plan 72189 Picton. DEC ref A535310
- 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)