GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS
Area Permit Number: 5277/1
File Number: 2012/006708-1
Duration of Permit: 30 November 2012 to 30 November 2014

PERMIT HOLDER
Kenneth Dexter Short

LAND ON WHICH CLEARING IS TO BE DONE
Lot 12 on Deposited Plan 64605, WARDERING
Lot 13 on Deposited Plan 64605, WARDERING
Lot 14 on Deposited Plan 64605, WARDERING
Lot 15 on Deposited Plan 64605, WARDERING
Lot 4602 on Deposited Plan 117614, WARDERING
Lot 4924 on Deposited Plan 117613, WARDERING
Lot 290 on Deposited Plan 248230, WARDERING

AUTHORISED ACTIVITY
The Permit Holder shall not clear more than 2 hectares of native vegetation within the area shaded yellow on attached Plan 5277/1.

CONDITIONS

1. **Fauna management**
   (a) Prior to undertaking any clearing authorised under this Permit, the area(s) shall be inspected by a *fauna specialist* who shall identify *habitat tree(s)* that contain hollows suitable to be utilised as *habitat tree(s)* by fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice*.

   (b) Prior to clearing, any *habitat tree(s)* identified by condition 1(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 1(b) of this Permit, the Permit Holder shall ensure that:
      (i) no clearing of the identified *habitat tree(s)* occurs, unless approved by the CEO

2. **Records must be kept**
   (a) In relation to fauna management pursuant to condition 1 of this Permit:
      (i) the location of each 1 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) the species name of each #2 identified; and
      (iii) a copy of the fauna specialist's report.

3. **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 2 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 28 August 2014, the Permit Holder must provide to the CEO a written report of records required under condition 2 of this Permit where these records have not already been provided under condition 3(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;

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;

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).

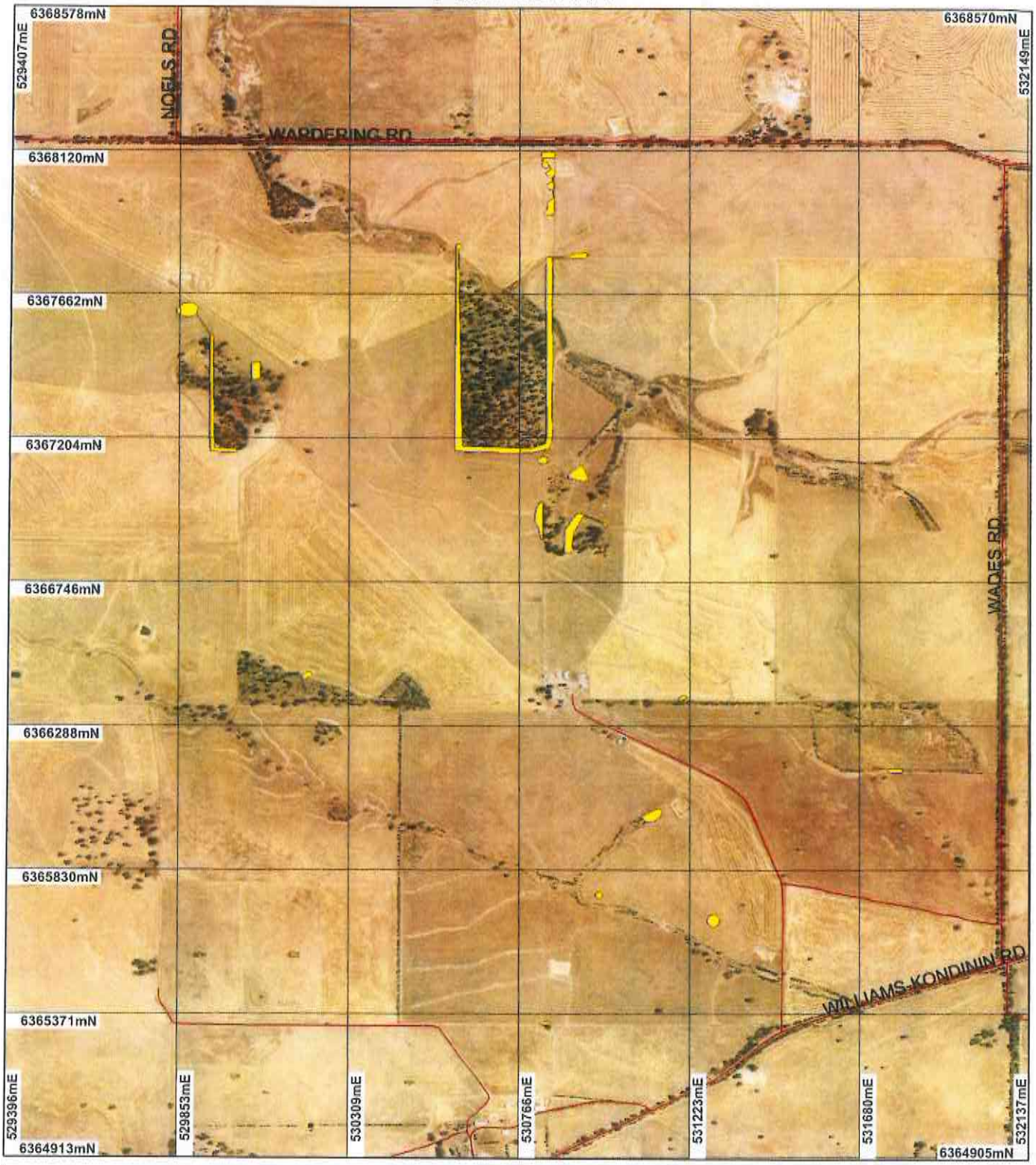
Roxane Shadbolt

Roxane Shadbolt
A/MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

Officer delegated under Section 20
of the Environmental Protection Act 1986

8 November 2012

Plan 5277/1



LEGEND

- Road Centrelines
- Clearing Instruments
  - Areas Applied to Clear
  - Areas Approved to Clear
- Narrogin 80cm Orthomosaic - Landgate 2005

N

0 ~375 m

Scale 1:16159
(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 8/11/12

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 acknowleged by the agency acronym in the legend.

Department of Environment and Conservation

Our environment, our future

** Project Data. This data has not been quality assured. Please contact map author for details.*

Department of Environment and Conservation

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 5277/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Kenneth Dexter Short

1.3. Property details

Property: LOT 15 ON PLAN 64605 (House No. 4679 WILLIAMS-KONDININ WARDERING 6311)
LOT 290 ON PLAN 248230 (WARDERING 6311)
LOT 13 ON PLAN 64605 (Lot No. 13 WADES WARDERING 6311)
LOT 14 ON PLAN 64605 (Lot No. 14 WADES WARDERING 6311)
LOT 12 ON PLAN 64605 (Lot No. 12 WARDERING WARDERING 6311)
LOT 4602 ON PLAN 117614 (Lot No. 4602 WARDERING WARDERING 6311)
LOT 4924 ON PLAN 117613 (WARDERING 6311)
Local Government Area: Shire of Cuballing
Colloquial name:

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 8 November 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 1023 is described as Medium woodland; York gum, wandoo & salmon gum (E. salmonophloia) (Government of western Australia, 2011).	The application is to clear two hectares of native vegetation across 10 small sites, for the purposes of widening paths for new machinery, fence line maintenance, upgrading of farming techniques and construction of a small gravel pit.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994) To Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The vegetation condition was ascertained through aerial imagery (Narrogin 80cm Orthomosaic, Landgate, 2005).

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments

Proposal is not likely to be at variance to this Principle

The application is to clear two hectares of native vegetation across 10 small sites, within a highly cleared agricultural landscape, for the purposes of widening paths for new machinery, fence line maintenance, upgrading of farming techniques and construction of a small gravel pit. Much of the vegetation under application appears to be completely degraded and devoid of understorey species.

There are mapped records of 12 fauna species of conservation significance (DEC, 2007-) within the local area (20 kilometre radius). The application area is likely to contain wandoo trees that may contain hollows suitable for habitat for local avian fauna species.

There are mapped records of six rare flora species within 20 kilometres of the application area, all of which are small to medium shrubs. Given the degraded nature of the application it is not likely that any of these species are present within the application area.

The closest threatened ecological community (TEC) is located 25 kilometres from the application area and therefore, the application is not likely to contain a TEC.

Given the above and the degraded nature of the vegetation, the application is not likely to be at variance to principle (a).

Methodology References:
- DEC, 2007-

GIS Data Sets:
- SAC Bio data sets, accessed 6 November 2012

(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.

Comments **Proposal may be at variance to this Principle**
There are mapped records of twelve fauna species of conservation significance mapped within the local area. Species listed as rare or likely to become instinct include Calyptorhynchus banksii subsp. naso (Forest Red-tailed Black-Cockatoo), Leipoa ocellata (Mallee fowl), Macrotis lagotis (Bilby), Myrmecobius fasciatus (Numbat) and Phascogale calura (Red-tailed Phascogale, Kenngoor) (DEC, 2007-).

The application is to clear a total of two hectares of Native vegetation across ten sites within a highly cleared agricultural landscape (Government of Western Australia, 2011). Although one site borders a larger remnant of native vegetation (11.5 hectares) they do not form part of an ecological linkage through the landscape.

The area under application has been mapped as Beard vegetation association 1023, which is described as Medium woodland; York gum, Wandoo & Salmon Gum (E. salmonophloia) (Government of Western Australia, 2011). Calyptorhynchus banksii subsp. naso (Forest Red-tailed Black-Cockatoo) is listed as Threatened under the Wildlife Conservation Act, 1950. This species nests in large hollows of Eucalypt trees within the Wheatbelt region of Western Australia (CALM, 2005).

It is considered likely that the application area contains Wandoo and Salmon gum and therefore, may contain habitat for avian fauna species. Given this the application may be at variance to principle (b).

Methodology References:
- DEC, 2007 -
- CALM, 2005

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.

Comments **Proposal is not likely to be at variance to this Principle**
There are mapped records of six rare flora species within 20 kilometres of the application area, all of which are small to medium shrubs. Although these species are found within the same vegetation type and a majority within the same soil type, the degraded (Keighery 1994) condition of the vegetation makes it unlikely that any of these species will be present within the application area (DEC 2012).

Given the above, the application is not likely to be at variance to principle (c).

Methodology References:
- DEC, 2012
- SAC Bio data sets, accessed 6 November 2012

(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.

Comments **Proposal is not likely to be at variance to this Principle**
The closest Threatened Ecological Community (TEC) is located 25 kilometres from the application area and is defined as Perched Wetlands of the Wheatbelt Region.

Given the distance to the nearest TEC and as no wetland systems have been identified within the application area, the application is not likely to be at variance to principle (d).

Methodology GIS Datasets:
- SAC Bio data sets, accessed 6 November 2012
-Hyrdography, linear

(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.

Comments

Proposal may be at variance to this Principle

The local area is approximately 15 percent vegetated with a majority of the remnant vegetation confined to road verges and small conservation reserves.

The vegetation has been mapped as beard vegetation association 1023, Medium woodland; York gum, wandoo & salmon gum (E. salmonophloia), of which there is approximately 10 percent vegetation remaining in the Avon Wheatbelt Bioregion (Government of Western Australia, 2011).

The nation objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 percent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001). The application is therefore, in an area that has been extensively cleared.

It is considered likely that the vegetation under application contains Wandoo and Salmon Gum and therefore, may contain suitable hollows for local avian species (CALM, 2005). Given this the vegetation under application may contain significant habitat for endemic fauna.

As the vegetation under application is in an extensively cleared landscape and may be significant for local fauna, the application may be at variance to principle (e). Fauna management conditions will limit the impact to these species.

	Pre-European (ha)	Current Extent (ha)	Remaining (%)	Extent in DEC Managed Lands (%)
IBRA Bioregion*				
Avon Wheatbelt	9,517,109	1,732,026	18	10
Shire*				
Shire of Cuballing	119,533.70	26,596.15	22	35
Beard Vegetation Association in Bioregion*				
1023	1,522,676	166,795	10	10

* Government of Western Australia, 2011

Methodology

References:
- Government of Western Australia, 2011
- Commonwealth of Australia, 2001
- CALM, 2005

GIS Datasets:
- Pre-european vegetation

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Comments

Proposal is not likely to be at variance to this Principle

The application is to clear two hectares of native vegetation across 10 small sites.

A minor non-perennial watercourse crosses one of these areas. As the application within this area is for the purpose of widening a pre-existing path that already crosses the minor water course; the application is not likely to be at variance to principle (f).

Methodology

GIS Datasets:
- Hydrography linear
- Narrogin 80cm Orthomosaic, Landgate, 2005

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Comments

Proposal is not likely to be at variance to this Principle

As the application is spread over numerous small sites and involves the clearing along already established paths, the application is not likely to cause appreciable land degradation and is therefore, not likely to be at variance to principle (g).

Methodology

GIS Datasets:
- Narrogin 80cm Orthomosaic, Landgate, 2005

(h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.

Comments

Proposal is not likely to be at variance to this Principle

The closest conservation reserve lies two kilometres from the application area and the vegetation does not form part of an ecological linkage through the area.

Given this and the small size of the proposed clearing, it is not likely to have an impact on the environmental values of a conservation area and is therefore not likely to be at variance to principle (h).

Methodology

GIS Datasets:
- Narrogin 80cm Orthomosaic, Landgate, 2005
- DEC Tenure

(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.

Comments

Proposal is not likely to be at variance to this Principle

Although the salinity within the area has been mapped as 7000 - 14000 TDS mg/L the limited nature of the clearing is not likely to affect the quality of surface or underground water and is therefore, not likely to be at variance to principle (i).

Methodology

GIS Datasets:
- Narrogin 80cm Orthomosaic, Landgate, 2005
- Salinity Statewide

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.

Comments

Proposal is not likely to be at variance to this Principle

As the application is spread over numerous smaller sites and involves the clearing along already established paths, the application is not likely to cause or exacerbate the intensity of flooding and is therefore, not likely to be at variance to principle (g).

Methodology

GIS Datasets:
- Hydrography linear
- Narrogin 80cm Orthomosaic, Landgate, 2005

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

Comments

The application falls within the proclaimed Murray River Surface Water Area, under the Rights in Water and Irrigation Act, 1914. Department of Water advice (DoW, 2012) states that to take water from or interfere with the bed and banks of a water course in this area will require a permit. No such permit has been applied for.

The Shire of Cuballing has advised that they do not have regulations for gravel extraction and have no objections to the clearing.

The application falls within the Agricultural Region defined in EPA position statement number 2 which concludes that further clearing for agricultural purposes should not be considered. The proposed clearing is for the purpose of improving cropping machinery operation and fencing. In exceptional circumstances the EPA could consider supporting clearing in the agricultural area if:

1. The proposed land use addresses alternative mechanisms for protecting biodiversity including rehabilitation of disturbed areas.
2. The area proposed to be cleared is relatively small
3. Land degradation on site and off site is not exacerbated (EPA 2000).

The proposed clearing is relatively small and is not likely to impact on biodiversity values or cause land degradation.

Methodology

References
-DoW, (2012)

4. References

CALM (2005) Fauna Note No. 06/2005 Red-tailed Black Cockatoo. Tamra Chapman, Ron Johnstone and Marion Massam. Department of Conservation and Land Management.

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 19/10/2012

DEC (2012) Reply to request for regional advice for clearing permit Application CPS 5277/1, Dated 30 October 2012. Department of Environment and Conservation, Western Australia (DEC ref: A561534).

DoW (2012) Direct interest submission for clearing permit Application CPS 5277/1, Dated 9 October 2012. Department of Water, Western Australia (DEC ref: A555227).

Shire of Cuballing (2012) Direct interest submission for clearing permit Application CPS 5277/1(DEC ref: A555227).

Government of Western Australia (2011); 2011 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). WA Department of Environment and Conservation, 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)