



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5801/1
Permit Holder:	Shire of Donnybrook-Balingup
Duration of Permit:	1 March 2014 – 1 March 2016

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

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done

Clearing for the purpose of road widening.

2. Land on which clearing is to be done

Upper Capel Road reserve PIN 11530050 (UPPER CAPEL 6239)
Upper Capel Road reserve PIN 11530049 (UPPER CAPEL 6239)
Upper Capel Road reserve PIN 11530048 (UPPER CAPEL 6239)
Upper Capel Road reserve PIN 11553559 (UPPER CAPEL 6239)
Upper Capel Road reserve PIN 11553560 (UPPER CAPEL 6239)
Upper Capel Road reserve PIN 11553561 (UPPER CAPEL 6239)
Upper Capel Road reserve PIN 11553562 (UPPER CAPEL 6239)
Upper Capel Road reserve PIN 11553563 (UPPER CAPEL 6239)
Lukis Street road reserve PIN 11398486 (BALINGUP 6253)
Lot 1570 on Deposited Plan 117091 (UPPER CAPEL 6239)
Lot 2205 on Deposited Plan 126103 (UPPER CAPEL 6239)
Lot 5 on Diagram 67991 (UPPER CAPEL 6239)
Lot 6 on Diagram 67991 (UPPER CAPEL 6239)

3. Area of Clearing

The Permit Holder must not clear more than 0.12 hectares of native vegetation and 7 native trees within the combined area hatched yellow on attached Plan 5801/1 (a), Plan 5801/1 (b) and Plan 5801/1 (c).

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 for the activities described in condition 1 of this Permit to the extent that the Permit Holder has the power to carry out works involving clearing for those activities under the *Local Government Act 1995* or any other written law.

PART II – MANAGEMENT CONDITIONS

6. 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.

7. 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) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared;
- (c) 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;

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 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.

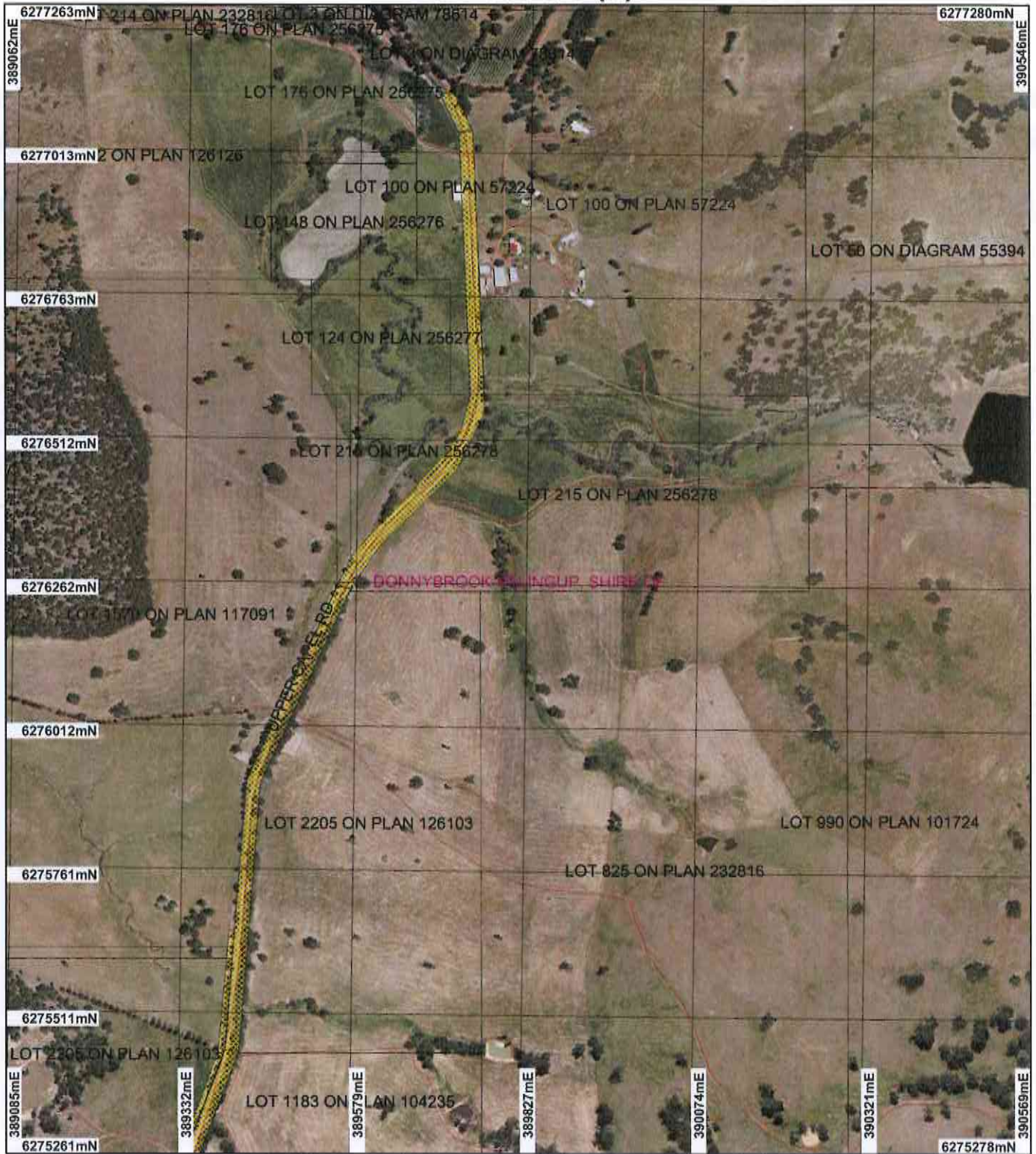


Jane Clarkson
ACTING MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

30 January 2014

Plan 5801/1 (a)



LEGEND

- | | |
|---|--|
| Clearing Instruments | <input type="checkbox"/> Local Government Authorities |
| Areas Approved to Clear | <input type="checkbox"/> Donnybrook 50cm Orthomosaic - Landgate 2004 |
| Road Centrelines | |
| <input type="checkbox"/> Cadastre | |
| <input type="checkbox"/> Cadastre for labelling | |



Scale 1:8800
(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.

Jane Clarkson

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.

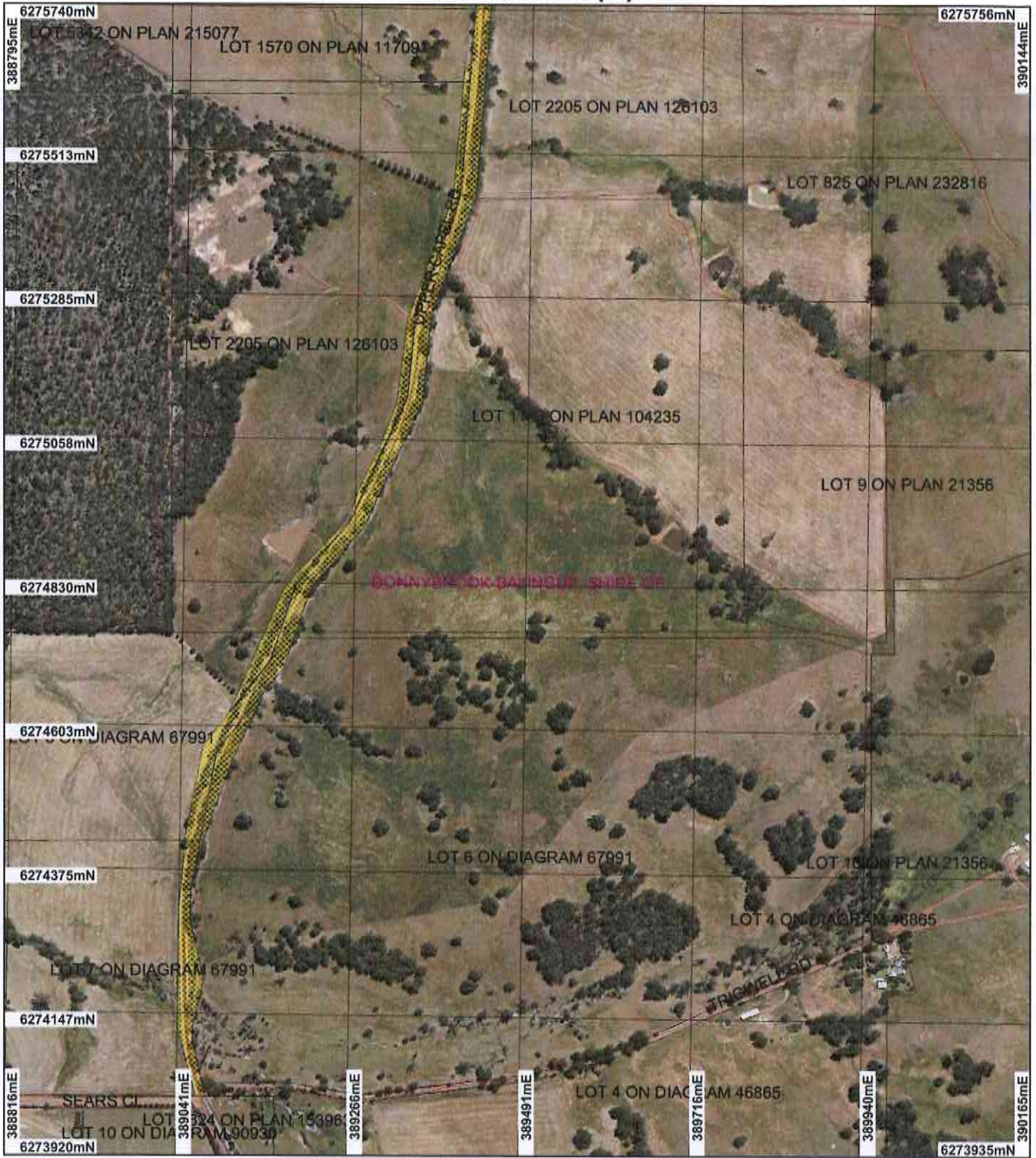


Government of Western Australia
Department of Environment Regulation

WA Crown Copyright 2002

[Signature] Date 30.1.14

Plan 5801/1 (b)



LEGEND

- | | |
|---|--|
| Clearing Instruments | <input type="checkbox"/> Local Government Authorities |
| Areas Approved to Clear | <input type="checkbox"/> Donnybrook 50cm Orthomosaic - Landgate 2004 |
| Road Centrelines | |
| <input type="checkbox"/> Cadastre | |
| <input type="checkbox"/> Cadastre for labelling | |



Scale 1:8000
(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.

J. Clarkson Date 30.1.14
Jane Clarkson

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.



Government of Western Australia
Department of Environment Regulation

WA Crown Copyright 2002



1. Application details

1.1. Permit application details

Permit application No.: 5801/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Shire of Donnybrook-Balingup

1.3. Property details

Property:
UPPER CAPEL ROAD RESERVE PIN 11530050 (UPPER CAPEL 6239)
UPPER CAPEL ROAD RESERVE PIN 11530049 (UPPER CAPEL 6239)
UPPER CAPEL ROAD RESERVE PIN 11530048 (UPPER CAPEL 6239)
UPPER CAPEL ROAD RESERVE PIN 11553559 (UPPER CAPEL 6239)
UPPER CAPEL ROAD RESERVE PIN 11553560 (UPPER CAPEL 6239)
UPPER CAPEL ROAD RESERVE PIN 11553561 (UPPER CAPEL 6239)
UPPER CAPEL ROAD RESERVE PIN 11553562 (UPPER CAPEL 6239)
UPPER CAPEL ROAD RESERVE PIN 11553563 (UPPER CAPEL 6239)
LUKIS STREET ROAD RESERVE PIN 11398486 (BALINGUP 6253)
LOT 1570 ON DEPOSITED PLAN 117091 (UPPER CAPEL 6239)
LOT 2205 ON DEPOSITED PLAN 126103 (UPPER CAPEL 6239)
LOT 5 ON DIAGRAM 67991 (UPPER CAPEL 6239)
LOT 6 ON DIAGRAM 67991 (UPPER CAPEL 6239)

Local Government Area: Shire of Donnybrook-Balingup

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.12	7	Mechanical Removal	Road construction or maintenance

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 30 January 2014

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
Part A - Upper Capel Road: Mapped Beard Association 999 is described as medium woodland; marri (Shepherd et al 2001). Mapped Beard Association 1017 is described as medium open woodland; jarrah and marri, with low woodland; banksia (Shepherd et al 2001). Mapped Beard Association 1182 is described as medium woodland; Eucalyptus rudis and Melaleuca raphiophylla (Shepherd et al 2001). Part B - Lukis Street: Mapped Beard Association 3 is described as medium forest; jarrah - marri (Shepherd et al 2001).	The clearing consists of 0.12 hectares of native vegetation within the Upper Capel Road reserve, Lots 5 and 6 on Diagram 67991, Lot 1570 on Plan 117091, Lot 2205 on Plan 126103, Upper Capel, and 7 native trees within the Lukis Street road reserve, Balingup, Shire of Donnybrook-Balingup, for the purpose of road widening.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The application is to clear 0.12 hectares of native vegetation and 7 native trees for the purpose of road widening. Part A (Upper Capel Road) of the application consists mainly of mature trees with very minimal understorey and the vegetation is in a degraded (Keighery 1994) condition (Shire of Donnybrook-Balingup 2013). Part B (Lukis Street) of the application consists of 7 isolated mature trees in degraded (Keighery 1994) condition, including two live trees and five dead trees and stumps (Shire of Donnybrook-Balingup 2013). The description and condition of the vegetation was determined by supporting information from the applicant (Shire of Donnybrook-Balingup 2013).

3. Assessment of application against clearing principles

Comments

The application is to clear 0.12 hectares of native vegetation and 7 native trees for the purpose of road widening.

Part A (Upper Capel Road) of the application consists mainly of mature trees with very minimal understorey and the vegetation is in a degraded (Keighery 1994) condition (Shire of Donnybrook-Balingup 2013).

Part B (Lukis Street) of the application consists of 7 isolated mature trees in degraded (Keighery 1994) condition, including two live trees and five dead trees and stumps (Shire of Donnybrook-Balingup 2013).

There are numerous records of priority flora and fauna within the local area (10 kilometre radius), however due to the small size, degraded condition and minimal understorey, the application area is unlikely to constitute significant habitat for flora or fauna of conservation significance or contain high biological diversity. There are no records of priority or threatened ecological communities within the local area.

Numerous minor non-perennial watercourses intersect the application area and the proposed clearing will involve some riparian vegetation. This clearing will however be very minimal and unlikely to result in significant impact to the watercourses.

The Shire of Donnybrook-Balingup retains approximately 57 per cent of its original vegetation extent, and the local area retains approximately 50 per cent of the original extent (Government of Western Australia 2013). The vegetation proposed to be cleared is mapped as Beard Vegetation Associations 3, 999, 1017 and 1182 (Shepherd et al 2001) which retain 68, 26, 77 and 43 per cent of the original extent respectively, within the Jarrah Forest IBRA Bioregion (Government of Western Australia 2013). Although Beard Vegetation Association 999 is poorly represented, the proposed clearing area is small and degraded and not likely to be significant as a remnant in an extensively cleared area.

Given the small size of the proposed clearing, degraded condition and linear nature, it is unlikely for the proposed clearing to impact on nearby conservation areas, cause or exacerbate land degradation or flooding or impact on water quality.

Considering the above, the proposed clearing is at variance to clearing principle (f) and is not likely to be at variance to the remaining principles.

Methodology

References

- Government of Western Australia (2013)
 - Keighery (1994)
 - Shepherd et al (2001)
 - Shire of Donnybrook-Balingup (2013)
- GIS Databases:
- DEC tenure
 - Hydrography, linear DOW
 - NWLRA, Extent of Native Vegetation
 - Pre-European vegetation
 - SAC Biodatasets - accessed January 2014

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

Comments

The application is to clear 0.12 hectares of native vegetation and 7 native trees for the purpose of road widening.

Lot 2205 on Deposited Plan 126103, Lots 5 and 6 on Diagram 67991 and Lot 1570 on Deposited Plan 117091 are privately owned and some of the roadside vegetation proposed to be cleared encroaches into these properties. Permission to access these properties has been provided by the land owner.

A permit to interfere with bed and banks has been obtained by the Shire of Donnybrook-Balingup from the Department of Water for the clearing of riparian vegetation and maintenance of culverts.

No public submissions have been received.

The application area intersects the Capel River Aboriginal Site of Significance. It is the Shire of Donnybrook-Balingup's responsibility to ensure compliance with obligations under the Aboriginal Heritage Act 1972.

The road reserve has not been assigned a zoning under the Town Planning Scheme Zones. The section of the application area within private property is zoned as 'general farming pastoral'.

Methodology

GIS Databases

- Aboriginal Sites of Significance

4. References

- Government of Western Australia (2013) 2012 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2012. 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.
- 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.
- Shire of Donnybrook-Balingup (2013) Application for a Clearing Permit - Supporting Documentation, August 2013 (DER Ref: A678762, A678761).