



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 5937/1
File Number: 2011/006808-1
Duration of Permit: From 8 March 2014 to 8 March 2021

PERMIT HOLDER

Shire of Boyup Brook

LAND ON WHICH CLEARING IS TO BE DONE

Lot 5616 on Deposited Plan 190866 (McAlinden)

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 1.8 hectares of native vegetation within the area cross hatched yellow on attached Plan 5937/1.

CONDITIONS

1. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 8 March 2016

2. 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;
- (d) only move soils in *dry conditions*; and
- (e) where *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is to be removed from the area to be cleared, ensure it is transferred to areas of comparable *soil disease status*.

3. Clearing authorised

This Permit authorises the Permit Holder to clear native vegetation only during the months of April, May and June.

4. Retain vegetative material and topsoil, revegetation and rehabilitation

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 six months following completion of the landfill site, *revegetate* and *rehabilitate* the area(s) that are no longer required for the purpose for which they were cleared under this Permit by:
 - (i) reshaping 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 4(a) on the cleared area(s); and
 - (iv) 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
 - (v) ensuring only *local provenance* seeds and propagating material are used to *revegetate* and *rehabilitate* the area.
- (c) within 24 months of undertaking *revegetation* and *rehabilitation* in accordance with condition 4(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 4(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 4(c)(ii) of this permit, the Permit Holder shall repeat condition 4(c)(i) and 4(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 4(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 4(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 4(c)(ii).

5. Records must be kept

The Permit Holder must maintain the following records in relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 4:

- (a) 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;
- (b) a description of the *revegetation* and *rehabilitation* activities undertaken; and
- (c) the size of the area *revegetated* and *rehabilitated* (in hectares).

6. 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 5 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 8 December 2020, the Permit Holder must provide to the CEO a written report of records required under condition 5 of this Permit where these records have not already been provided under condition 6(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 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, or who is approved by the CEO as a suitable environmental specialist.

local provenance means native vegetation seeds and propagating material from natural sources within kilometres and the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion 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.

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;

soil disease status means soil types either infested, not infested, uninterpretable or not interpreted with a pathogen; and

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.



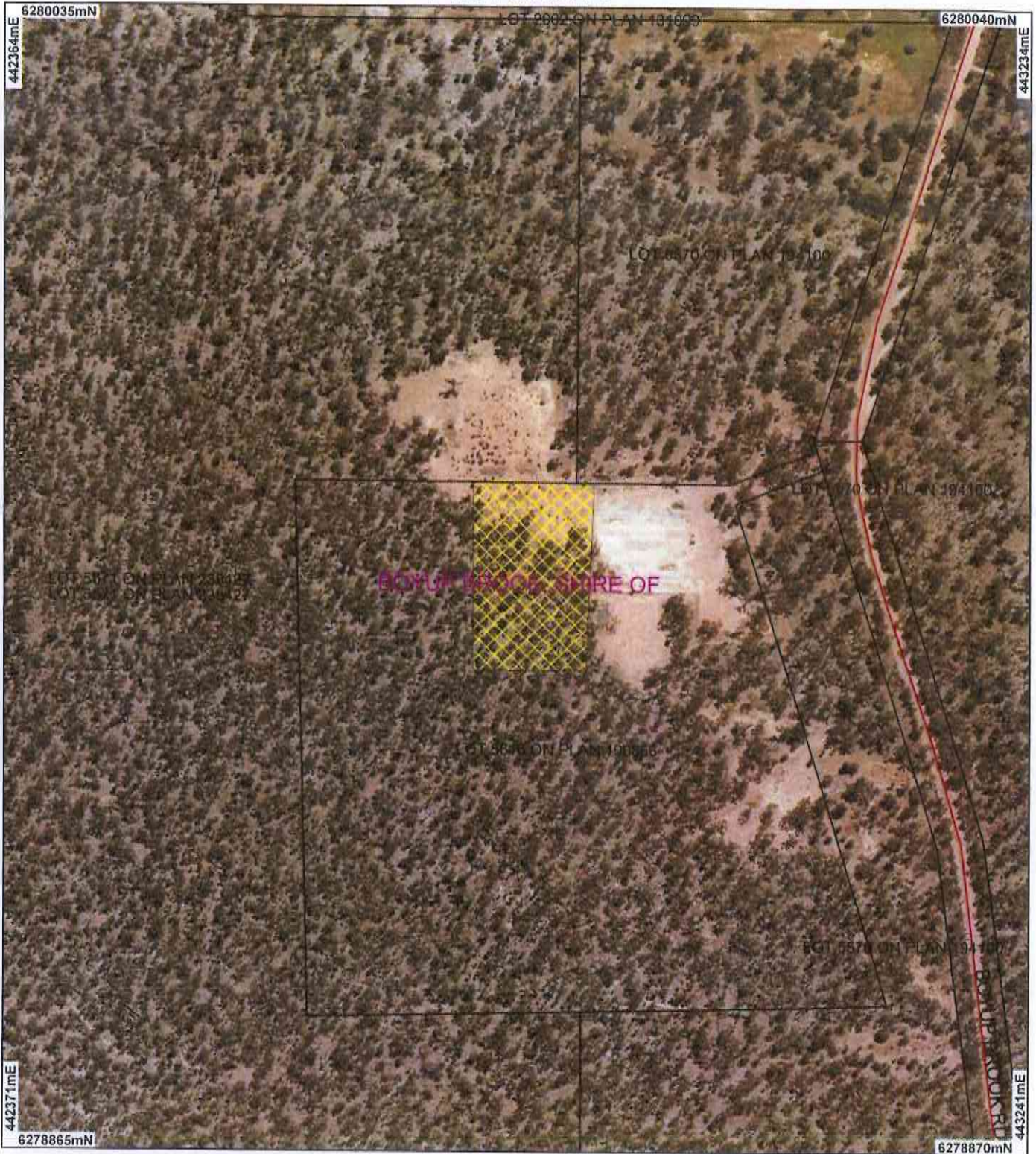
M Warnock
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

6 February 2014

CPS 5937/1, 6 February 2014

Plan 5937/1



LEGEND

- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Cadastre
- Local Government Authorities

Bridgetown 50cm
Orthomosaic - Landgate
2004



0 150 m

Scale 1:5154

(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

M Warnock Date *6/2/14*

M Warnock

Officer with delegated authority under Section 20 of
the Environmental Protection Act 1986

Information derived from this map should be
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by the agency acronym in the legend.



Government of Western Australia
Department of Environment Regulation

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Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 5937/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Shire of Boyup Brook

1.3. Property details

Property: LOT 5616 ON PLAN 190866 (MCALINDEN 6225)
Local Government Area: Shire of Boyup Brook
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1.8		Mechanical Removal	Landfill extension

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 6 February 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
Beard Vegetation Association 3: Medium forest; Jarrah-marri (Shepherd et al, 2001).	Clearing 1.8 hectares of native vegetation within Lot 5616 on Deposited Plan 190866, Mcalinden, Shire of Boyup Brook, for the purpose of a landfill extension.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	The vegetation under application consists of sparse Eucalyptus marginata trees with the occasional Corymbia calophylla with no midstorey over sparse shrubs of Bossiaea ornata, Hibbertia hypericoides, Hakea lissocarpha, Tetraria capillaris and Desmodium fasciculatus (Wildy, 2013).
Heddl Vegetation Complex Pindalup and Yarragil Complex in Low to Medium Rainfall: No Description		To	The vegetation under application is in a completely degraded to excellent (Keighery, 1994) condition (Wildy, 2013). The northern section of the proposed clearing area has been impacted upon from previous gravel extraction activities. The middle and southern section of the proposed clearing area has also been impacted upon from historical fires and logging (Wildy, 2013).
Mattiske Vegetation Complex Wilga (WG): Woodlands of Eucalyptus marginata subsp. marginata-Corymbia calophylla on sandy-gravels on low divides in the subhumid zone (Mattiske and Havel, 1998).		Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994)	The condition and description of the vegetation under application was obtained from a Preliminary Assessment of existing vegetation at the proposed landfill site on Boyup Brook North Road (Wildy, 2013).

3. Assessment of application against clearing principles

Comments

The application is to clear 1.8 hectares of native vegetation for the purpose of a landfill site extension approximately 20 kilometres north of Boyup Brook.

Two priority and one rare flora species have been recorded within 10 kilometres of the area under application. The recorded priority and rare flora species do not occur in similar vegetation and soil types as the applied area. Therefore the vegetation under application is not likely to include or be necessary for the continued existence of priority and rare flora.

Several fauna species of conservation significance have been recorded within 10 kilometres of the area under application including *Calyptorhynchus banksii* subsp. *naso* (Forest Red-tailed black cockatoo), *Calyptorhynchus baudinii* (Baudin's cockatoo) and *Dasyurus geoffroii* (Chuditch) (DEC, 2007-). The proposed clearing area contains approximately 50 trees that have a diameter of 50 centimetres or greater at breast height (Wildy, 2013). Trees of this size and nature have the potential to contain hollows suitable for breeding purposes for black cockatoo species. The development of nesting hollows is a dynamic process, so any hollows that may exist in trees within the applied area are considered important, as is the maintenance of healthy trees to allow for the development of future hollows. Appropriate fauna management will assist in mitigating potential impacts to black cockatoo species from the proposed clearing.

The vegetation under application is considered to be sparse (Wildy, 2013) and unlikely to provide suitable habitat for ground dwelling fauna such as the Chuditch.

No threatened or priority ecological communities have been recorded within 10 kilometres of the proposed clearing area.

The vegetation under application is represented by Beard Vegetation Association 3, Heddle Vegetation Complex, Pidalup and Yarragil Complex\In Low to Medium Rainfall and Mattiske Vegetation Complex Wilga (Government of Western Australia, 2013; Heddle et al, 1980; Mattiske and Havel, 1998). The national 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 three vegetation types represented within the proposed clearing area are all above the 30 percent threshold level. The application area is not within an extensively cleared landscape with approximately 55 percent of pre-European vegetation remaining within 10 kilometres of the proposed clearing area.

The closest conservation area to the proposed clearing is the Wilga State Forest situated approximately four kilometres south east of the applied area. The vegetation within the applied area and State Forest are linked however given the distance between the areas it is unlikely the proposed clearing will impact on the conservation values of the Wilga State Forest.

No wetlands or watercourses are mapped within the application area and given the past disturbance of the proposed clearing area it is not likely to cause appreciable land degradation, impact water quality, consist of riparian vegetation or cause or exacerbate the intensity of flooding.

The machinery used for the clearing has the potential to introduce weeds and dieback into the remaining vegetation surrounding the application area, thus reducing the environmental values of these areas. Weed and dieback management practices will assist to mitigate this risk.

The assessment of the proposed clearing identified that the clearing may be at variance to principle (b) and is not likely to be at variance to the remaining clearing principles.

Methodology

References:

- Commonwealth of Australia (2001)
- DEC (2007-)
- Government of Western Australia (2013)
- Heddle et al (1980)
- Keighery (1994)
- Mattiske and Havel (1998)
- Wildy (2013)

GIS Databases:

- CAWS areas
- SAC Bio Datasets (Accessed January 2014)
- NLWRA, Extent of Vegetation Remaining
- Hydrography, linear
- DEC Tenure

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

Comments

A submission was received from the Blackwood Basin Group (BBG) (2014). The BBG does not oppose the proposed clearing however, recommend a more comprehensive rehabilitation on the no longer required landfill sites then previously demonstrated on past gravel extraction sites. Standard revegetation conditions will be placed on the permit to ensure that the landfill site will be revegetated once it is longer required.

The proposed clearing area is located within Zone A (a very high salinity risk zone) of the Country Areas Water Supply Act 1947 (CAWS Act) Wellington Dam Catchment Area (DoW, 2014). The DoW (2014) has no objection to the clearing as the Shire will be progressively revegetation the landfill site as it becomes full.

The proposed clearing area is registered as a landfill site under the Environmental Protection Regulations 1987.

Methodology**References:**

- DoW (2014)
- Blackwood Basin Group (2014)

4. References

- Blackwood Basin Group (2014) Submission received in relation to Clearing Permit Application CPS 5937/1 - Shire of Boyup Brook (DER Ref:A713476)
- 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 January 2014
- Department of Water (2014) Advice received in relation to Clearing Permit Application CPS 5937/1 - Shire of Boyup Brook (DER Ref:A716204)
- 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.
- 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.
- Mattiske, E.M. and Havel, J.J. (1998) Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment 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.