



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 6187/1

File Number: DER2014/001579-1

Duration of Permit: 27 December 2014 to 27 December 2024

PERMIT HOLDER

Godfrey Lloyd Burnside

LAND ON WHICH CLEARING IS TO BE DONE

Lot 30 on Plan 21574, Normalup

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 1.3 hectares of native vegetation within the area shaded yellow on attached Plan 6187/1.

CONDITIONS

1. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 27 December 2019.

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; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

3. 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) at an *optimal time* following the completion of works *revegetate* and *rehabilitate* the area(s) that are no longer required for the purpose for which they were cleared under this Permit 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) ripping the pit floor and contour batters within the extraction site; and
 - (iv) laying the vegetative material and topsoil retained under condition 3(a) on the cleared area(s).
- (c) within 18 months of laying the vegetative material and topsoil on the cleared area in accordance with condition 3(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 3(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 3(c)(ii) of this permit, the Permit Holder shall repeat condition 3(c)(i) and 3(c)(ii) within 18 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 3(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 3(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 3(c)(ii).

4. Records to be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
 - (i) the species composition, structure and density of the cleared area;
 - (ii) the location where the clearing occurred, 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;
 - (iii) the date that the area was cleared; and
 - (iv) the size of the area cleared (in hectares).
- (b) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 3 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
 - (v) a copy of the environmental specialist's report.

5. 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 4 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 27 September 2024, the Permit Holder must provide to the CEO a written report of records required under condition 4 of this Permit where these records have not already been provided under condition 5 (a) of this Permit.

DEFINITIONS

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

dieback means the effect of *Phytophthora* species on native vegetation;

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;

fill means material used to increase the ground level, or fill a hollow;

local provenance means native vegetation seeds and propagating material from natural sources within 10 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;

optimal time means the period from April to May for undertaking *planting*;

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; 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 Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

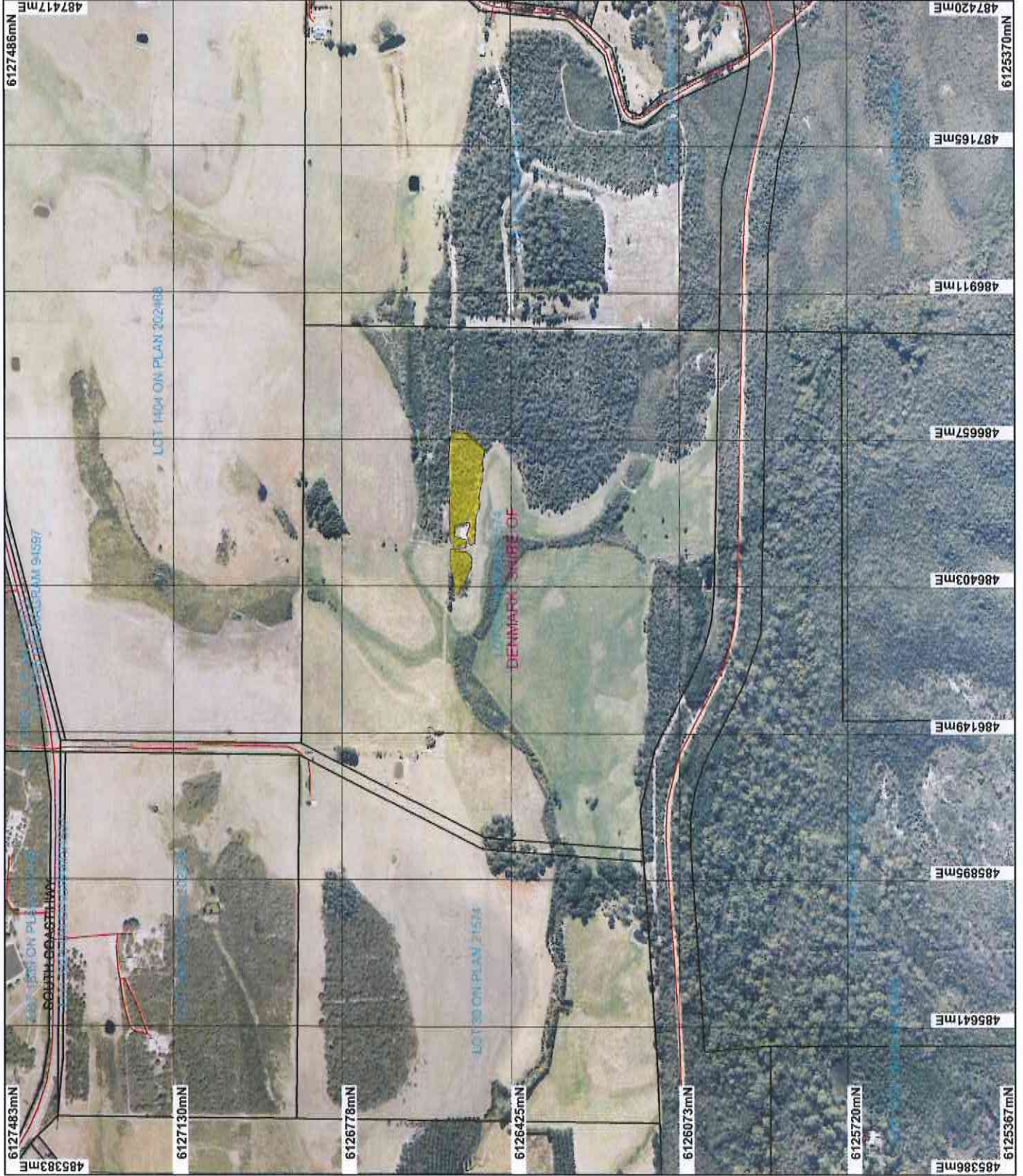


M Warnock
SENIOR MANAGER
CLEARING REGULATION

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

27 November 2014

Plan 6187/1



LEGEND

- Clearing Instruments
- Areas Approved to Clear
- Road Centrelines
- Cadastral for labelling
- Local Government Authorities
- Rame Head 50cm Orthomosaic - Landgate 2007

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



Scale 1:100000
 (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 misalignment in some places.

Meredith Date 27/11/14

M Wainrock
 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.





Clearing Permit Decision Report

Government of Western Australia
Department of Environment Regulation

1. Application details

1.1. Permit application details

Permit application No.: 6187/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: MR Godfrey Lloyd Burnside

1.3. Property details

Property: LOT 30 ON PLAN 21574 (House No. 6371 SOUTH COAST NORNALUP 6333)
Local Government Area: Shire of Denmark
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1.3		Mechanical Removal	Extractive Industry

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 27 November 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
Mapped Beard vegetation association 27: Low woodland; paperbark (Melaleuca sp.)	The clearing of 1.3 hectares of native vegetation is for the purpose of sand extraction.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994)	The vegetation condition was assessed through a site inspection conducted by the Shire of Denmark and photographs provided by the applicant (Shire of Denmark, 2014).
Mapped Beard vegetation association 23: Low woodland; jarrah-banksia (Shepherd et al, 2001).		To	
Mattiske vegetation complex HA - Mosaic of a low woodland to woodland of Eucalyptus marginata subsp. marginata- Eucalyptus patens, low forest of Agonis juniperina- Callistachys lanceolata with closed heath of Myrtaceae spp. on sandy plains in the hyperhumid zone (Mattiske and Havel, 1998).		Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 2014)	

3. Assessment of application against clearing principles

Comments The application is for the proposed clearing of 1.3 hectares of native vegetation within Lot 30 on Deposited Plan 21574, Nornalup, for the purpose of sand extraction.

The vegetation proposed to be cleared is considered to be in a degraded to good (Keighery, 1994) condition (Shire of Denmark, 2014). The canopy layer of the vegetation is quite dense and considered to be in a good (Keighery, 1994) condition. The mid-storey and understorey has been impacted by grazing due to the area not being fenced off from livestock and is therefore considered to be in a degraded (Keighery, 1994) condition (Shire of Denmark, 2014).

Several priority flora species have been identified within a 10 kilometre radius of the area under application. The majority of the flora species that have been mapped within the same soil and vegetation association as the application area are priority three and four species. Priority three species are generally known from collections from several different localities not under imminent threat and priority four species are considered to have been adequately surveyed and not in need of special protection but could be if circumstances change (DEC, 2012). Therefore the clearing proposed is unlikely to have an impact on the conservation status of these species. Two priority 2 species are mapped 500 metres south and three kilometres north west from the area under application. Both species prefer winter-wet swamp areas and peaty soils (Western Australian Herbarium, 1998 -), which are not present within the application area.

The closest record of rare flora is located 4.8 kilometres west of the proposed clearing area. This species inhabits infertile grey sands in common sheoak and jarrah woodland or forest (Brown et al, 1998). The Department of Parks and Wildlife (2014) has advised that this rare flora species is unlikely to occur within the application area.

There are no threatened ecological communities mapped within the local area (10 kilometre radius).

The vegetation types under application are well represented locally and regionally, with mapped Beard vegetation associations 27 and 23 retaining 74 per cent and 72 per cent of their pre-European extent respectively. Mattiske vegetation association Hazelvale (HA) retains 47 per cent, with approximately 75 per cent remaining within the Shire of Denmark (Government of Western Australia, 2013). There is 75 per cent native vegetation remaining in the local area (10 kilometre radius). Given this, the vegetation under application is not considered to be within an extensively cleared area.

The closest watercourse to the application area is a winter creek system located 150 metres south (Shire of Denmark, 2014). An area of flatland pasture separates the application area from the creek. Given this, the proposed clearing is not likely to impact upon riparian vegetation associated with this watercourse.

The closest conservation reserve, Walpole - Nornalup National Park (Class A), is located 600 metres south of the application area. Given the distance to this reserve, it is unlikely that the proposed clearing will impact upon the environmental values of the conservation area.

The proposed clearing may result in short term land degradation in the form of wind erosion given that the application area is located on a sand ridge and will be exposed following clearing. However, impacts from the proposed clearing are likely to be minimal, given the site will be rehabilitated once excavation works have been completed (Shire of Denmark, 2014a).

The proposed clearing is unlikely to impact upon water quality given the distance to the closest watercourse and the area of flatland pasture that separates the application area from the watercourse.

Given the small size of the application area, it is unlikely the proposed clearing will cause or exacerbate flooding.

The disturbance caused by the proposed clearing may increase the risk of weeds and dieback being introduced into adjacent areas of remnant vegetation. Weed and dieback management practices will assist in mitigating this risk.

Given the above, the proposed clearing is not likely to be at variance to any of the clearing principles.

Methodology

References

- DEC (2012)
- Brown et al (1998)
- Keighery (1994)
- Western Australian Herbarium (1998 -)
- Parks and Wildlife (2014)
- Government of Western Australia (2013)
- Shire of Denmark (2014)
- Shire of Denmark (2014a)

- GIS Databases
- DPaW tenure
- Hydrography, linear DOW
- NWLRA, Extent of Native Vegetation
- Pre-European vegetation
- SAC Biodatasets - accessed November 2014
- Soils, statewide

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

Comments

The application is to clear 1.3 hectares of native vegetation for the purpose of sand extraction.

The applicant has advised that the whole application area may not be cleared and if cleared, will be carried out over a ten year period.

The Shire of Denmark (2014a) has recommended that the applicant fence off the adjoining vegetation within Lot 30 to prevent stock from impacting upon the remaining native vegetation.

The applicant was granted planning approval by the Shire of Denmark (2014) on 19 November 2014 in accordance with the Shire's Town Planning Scheme No. 3, for the proposed extractive industry operations.

An extractive industry licence was issued by the Shire of Denmark (2014b) on the 24 November 2014 for the purpose of sand extraction within Lot 30 on Plan 21574, Nornalup.

No Aboriginal Sites of Significance have been mapped over the application area.

The application area is mapped as 'Rural' under the Local Town Planning Scheme.

No submissions from the public have been received for the proposed clearing.

Methodology

References

- Shire of Denmark (2014)
- Shire of Denmark (2014a)
- Shire of Denmark (2014b)

GIS Databases

- Aboriginal Sites of Significance
- Town Planning Scheme Zones

4. References

- Brown A., Thomson-Dans C. and Marchant N.(1998). Western Australia's Threatened Flora, Department of Conservation and Land Management, Western Australia.
- DEC (2012) Priority Ecological Communities for Western Australia Version 18. Species and Communities Branch. Department of Environment and Conservation, Perth, Western Australia.
- Department of Parks and Wildlife (2014) Species and Communities Advice for Clearing Permit CPS 6187/1. Department of Parks and Wildlife. Western Australia (DER Ref: A805949).
- 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.
- 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.
- Shire of Denmark (2014) Advice for Clearing Permit CPS 6187/1. Western Australia. (DER Ref: A803636)
- Shire of Denmark (2014a) Additional advice for Clearing Permit CPS 6187/1. Western Australia. (DER Ref: A802536)
- Shire of Denmark (2014b) Extractive Industry Licence for Clearing Permit CPS 6187/1. Western Australia. (DER Ref: A835521)