



1. Application details

1.1. Permit application details

Permit application No.: 69/1

Permit type: Area Permit

1.2. Proponent details

Proponent's name: MR Graham Francis Nolan

1.3. Property details

Property: LOT 286 ON PLAN 213730 (HOLLETON 6426)

LOT 276 ON PLAN 210720 (HOLLETON 6426)

Local Government Area: Shire Of Yilgam

Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
25		Burning	Grazing & Pasture
		Burning	Grazing & Pasture

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 516: Shrublands ; mallee scrub, black marlock	This vegetation association is part of the area proposed to be cleared on the southern boundary of the property (21ha). The area has no overstorey but is dominated by <i>Acacia acuminata</i> in the midstorey. The understorey has a high biodiversity with a mixture of species including <i>hakea</i> , <i>Melaleuca</i> and an unnamed poison species (DAWA, 2004)	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	
Beard vegetation association 945: Mosaic: Medium woodland; salmon gum /Shrublands; mallee scrub, redwood & black marlock	10ha of this vegetation association is proposed to be cleared.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	
Beard Vegetation 2048: Shrublands ; scrub- heath in the Mallee Region	The area likely to be affected in this vegetation association is only a 'sliver', less than 0.1ha.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	
Beard Vegetation Association 1068: Medium woodland; salmon gum, morrel, gimlet and <i>Eucalyptus sheathiana</i> .	Approximately 6.5ha of the clearing proposal is for this vegetation type.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	Vegetation condition confirmed by DAWA officer (pers comm).

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 may be at variance to this Principle

Aerial photography and a site visit undertaken by DoE (3 June 2004) indicate that the majority of the vegetation

proposed to be cleared is in good to very good condition.

CALM has advised that the area is poorly known floristically due to the lack of local surveys.

Methodology Site Visit (DoE, 2004).
CALM (2006) Trim DOC 2900
GIS datasets:
Orthophoto mosaic Hyden O'Connor, 1999

(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

BCS has advised the following: Within 50 km of the proposed clearing there have been 6 records of Mallee Fowl, and single records of Chuditch, and White Tailed Black Cockatoos. These three taxa are listed as being Specially protected under the Wildlife Conservation Act 1950 and Vulnerable under the Environment Protection and Biodiversity Conservation Act 1999. The following priority fauna species have been recorded within 50km of the proposed clearing; *Daphnia jollyi* (P1), Barking Owl (P2), White Browed Babbler (Western Wheatbelt) (P4), Western Brush Wallaby (P4) and Bush Stone Curlew (P4).

Methodology CALM advice (2006)

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

Comments Proposal may be at variance to this Principle

The BCS has advised the limited records available show that a number of flora species of conservation significance have been recorded within 50km of this application to clear, including the following 5 declared rare species; *Gastrolobium graniticum*, *Banksia sphaerocarpa* var. *dolichostyla*, *Roycea pycnophylloides*, *Eucalyptus steedmanii*, and *Acacia lanuginophylla*. Due to the aforementioned limited amount of recorded botanical data and insufficient site specific information, an appropriately timed flora survey would be invaluable to further assess the application against this Principle.

Methodology CALM advice (2006)
GIS datasets:
Declared Rare and Priority Flora List - CALM 1/7/05
Pre-European Vegetation - DA 01/01

(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 State listed (Priority) Threatened Ecological Community, Plant assemblages of the Parker Range System is located 35km East of the proposed clearing, and is unlikely to be impacted by the proposed clearing.

Methodology CALM (2006),
CALM Threatened Ecological Community (TEC) Database (12/4/05)

(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 is at variance to this Principle

The clearing proposal is at variance with this Clearing Principle as the Avon Wheatbelt Bioregion is highly cleared (only 10% of native veg remaining). In addition, the Shire of Yilgarn is highly cleared with only 23.6% remaining within the intensive land use zone. The property is also highly cleared with only 9% remaining as native vegetation. The National Objective and Targets for Biodiversity Conservation 2001-2005 (AGPS 2001) recognises that the retention of 30% or more of the pre-clearing extent of each ecological community is the target.

The area also falls within the intensive landuse zone, and is therefore subject to the EPA's Position Statement No. 2, Environmental Protection of Native Vegetation in Western Australia. This Position Statement recommends that further clearing within the ILZ for agricultural purposes should not be considered, unless the areas are small and alternative measures to protect biodiversity are put into place.

reserves/CALM-	Pre-European area (ha)	Current extent (ha)	Remaining %*	Conservation status**	% in managed land
IBRA Bioregion- Mallee	4,130,281 ***	806,971 ****	19.5	Vulnerable	60.1
IBRA Bioregion-Avon Wheat	8,967,527 ***	924,823 ****	10.3	Endangered	24.5
Shire- Yilgarn	727272 ***	171915 ****	23.6	Vulnerable	
On the property	2260	249	9		

Beard veg type-1068	293,053	137,171	46.8	Depleted	7.9 #
Beard veg type-125	3,940,746	3,536,992	89.8	Least Concern	5.8 #
Beard veg type-2048	383,125	176,608	46.1	Depleted	13.6 #
Beard veg type-516	1,541,361	666,416	43.2	Depleted	35.9
Beard veg type-945	9704	9704	100.00	Least Concern	24.1

* (Shepherd et al. 2001)

** (Department of Natural Resources and Environment 2002)

*** Area inside the clearing line (intensive land use zone). **** Vegetation cover inside the clearing line (intensive land use zone)

The benchmark of 15% representation in conservation reserves (Janis, 1997) has not been met for this vegetation association.

Methodology Shepherd et al. (2001), Department of Natural Resources and Environment (2002), Janis (1997), AGPS (2001), EPA (2000)

(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 may be at variance to this Principle

Two of the areas proposed to be cleared are within 180m of wetlands present on the property. The clearing under application may affect the values of these wetlands, and therefore may be at variance with this principle.

Methodology GIS datasets: Hydrology, linear 1/2/2004.
Orthophoto mosaic Hyden O'Connor, 1999

(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

Advice from the Commissioner for Soil and Land Conservation states that while the proposed clearing will add to the off site salinity risk the impact would be minimal and hence the proposed clearing is not likely to cause appreciable on site and off site land degradation.

Methodology DAWA (2004)

(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 may be at variance to this Principle

Reducing (by clearing) some of the remnant vegetation within Leake Locations 286 and 276 will impact upon its capacity to act as corridor for local fauna populations moving between areas of remnant vegetation that includes conservation estate.

Methodology CALM (2006)

(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

Information from Land Monitor salinity risk data indicates that this area is at risk from increased groundwater salinity. However, due to the small area proposed to be cleared the impacts are likely to be minimal.

Methodology GIS dataset: Land Monitor salinity risk, Department of Land Administration 2000

(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

DAWA has advised that the ground water levels have not risen in recent years (2001-2004) and annual rainfall is 320mm with evaporation of up to 10 mm day in the summer.

Given the above the areas proposed to be cleared are unlikely to exacerbate flooding.

Methodology DAWA (2004)

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

Comments

Submissions in relate to this proposal raising biodiversity concerns have been addressed within principle (e) comments and

through the refusal of this proposal.

The Shire of Yilgarn have advised that they have no objection to this proposal.

Methodology

4. Assessor's recommendations

Purpose	Method	Applied area (ha)/ trees	Decision	Comment / recommendation
Grazing & Pasture	Burning	25	Refuse	<p>The area is floristically poorly known.</p> <p>The proposal may be at variance to principles (a), (b), (c) and (f) and is considered to be at variance to principles (e) and (h).</p> <p>The areas proposed to be cleared are within EPA Position Statement No. 2 agricultural area and is for the purposes of agriculture. The EPA's position on "clearing in the agricultural area for agricultural purposes" is that any further reduction in native vegetation through clearing for agriculture can not be supported".</p> <p>Given the above the assessing officer recommends that the proposal be refused.</p>
Grazing & Pasture	Burning			

5. References

- AGPS (2001) The national objective and targets for biodiversity conservation 2001-2005. Commonwealth of Australia, Canberra.
- Clearing Assessment Unit's biodiversity advice for land clearing application. Advice to Director General, Department of Environment and Conservation (DEC), Western Australia. TRIM ref CEO1350/04
- DAFWA Land degradation assessment report. Office of the Commissioner of Soil and Land Conservation, Department of Agriculture and Food Western Australia. DoE TRIM ref IN17157.
- Department of Natural Resources and Environment (2002) Biodiversity Action Planning. Action planning for native biodiversity at multiple scales; catchment bioregional, landscape, local. Department of Natural Resources and Environment, Victoria.
- DoE Advice to the Commissioner, Site Visit Report, 3 June 2004, Department of Environment and Conservation (DEC), Western Australia. TRIM ref IN16687
- EPA (2000) Environmental protection of native vegetation in Western Australia. Clearing of native vegetation, with particular reference to the agricultural area. Position Statement No. 2. December 2000. Environmental Protection Authority.
- JANIS Forests Criteria (1997) Nationally agreed criteria for the establishment of a comprehensive, Adequate and Representative reserve System for Forests in Australia. A report by the Joint ANZECC/MCFFA National Forest Policy Statement Implementation Sub-committee. Regional Forests Agreement process. Commonwealth of Australia, Canberra.
- 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, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.

6. Glossary

Term	Meaning
CALM	Department of Conservation and Land Management
DAWA	Department of Agriculture
DEP	Department of Environmental Protection (now DoE)
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 DoE)

