



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 6923/1

Duration of Permit: From 4 June 2016 to 4 June 2018

PERMIT HOLDER

Mr David Patane

LAND ON WHICH CLEARING IS TO BE DONE

LOT 201 ON DEPOSITED PLAN 32787, FORREST BEACH

AUTHORISED ACTIVITY

1. Type of Clearing Authorised/Method

The Permit Holder shall not clear more than 2.25 hectares of native vegetation within the area cross-hatched yellow on attached Plan 6923/1.

2. Fauna Management

While undertaking any activity authorised under condition 1 of this permit:

- (a) a *fauna specialist* must be on site at the time of clearing to identify any native fauna; and
- (b) where native fauna are identified, the *fauna specialist* must remove and relocate the fauna.

Definitions

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

fauna specialist means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*;

A handwritten signature in black ink, appearing to read "S. Weighell", written over a horizontal line.

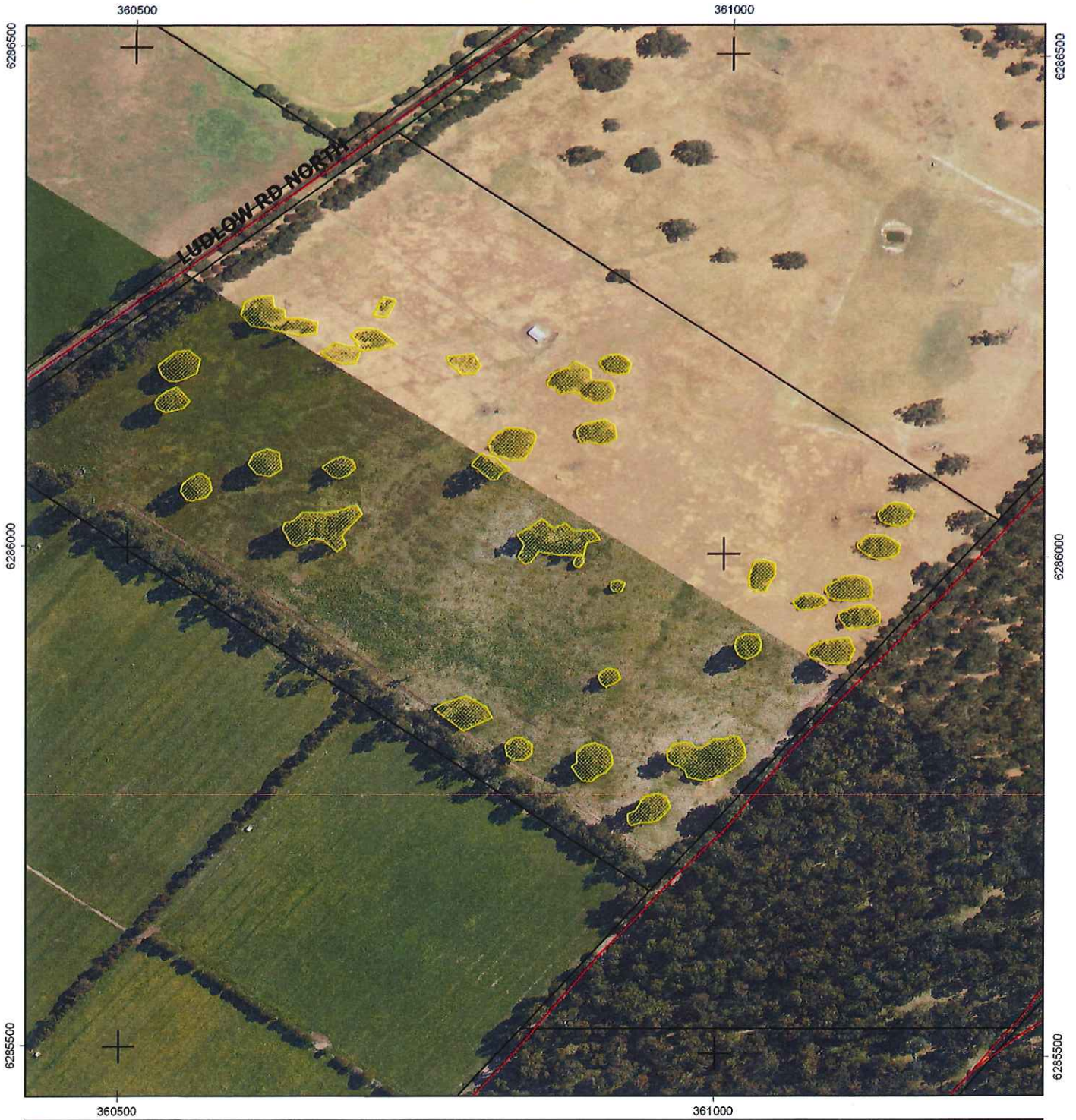
Simon Weighell
A/MANAGER
CLEARING REGULATION
DEPARTMENT OF ENVIRONMENT REGULATION

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

5 May 2016

CPS 6923/1, 5 May 2016

Plan 6923/1



Legend

 Areas approved to clear

 Roads

 Cadastre

Virtual Mosaic (LGATE-V001)



1:3.471

MGA 94
Geocentric Datum of Australia 1994

S. Weighell Date *5/5/16*
Simon Weighell

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



GOVERNMENT OF
WESTERN AUSTRALIA



1. Application details

1.1. Permit application details

Permit application No.: 6923/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Mr David Patane

1.3. Property details

Property: LOT 201 ON DEPOSITED PLAN 32787, FORREST BEACH
Local Government Authority: CAPEL, SHIRE OF
DER Region: Greater Swan
DPaW District: BLACKWOOD
LCDC: Capel
Localities: FORREST BEACH

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 5 May 2016
Reasons for Decision: The clearing application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, and has concluded that the proposed clearing is not likely to be at variance to the clearing principles.

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
The vegetation under application is mapped as;	Clearing 2.25 hectares of native vegetation for vegetable production on Lot 201 on Deposited Plan 32787, Forrest Beach.	Completely Degraded; No longer intact, completely/almost completely without native species (Keighery, 1994).	The condition of the vegetation under application was determined via a Department of Environment Regulation (DER) site inspection undertaken 2 March 2016 (DER, 2016).
Beard Vegetation Association 2: Tall woodland; tuart (Eucalyptus gomphocephala) (Shepherd et al, 2001),			
Beard Vegetation Association 1000: Mosaic: Medium forest; jarrah-marri / Low woodland; banksia / Low forest; teatree (Melaleuca spp.) (Shepherd et al, 2001)			

3. Assessment of application against clearing principles

Comments The application to clear up to 2.25 hectares of native vegetation for the purpose of vegetable production is unlikely to have any significant environmental impacts. The vegetation is considered to be in a completely degraded (Keighery, 1994) condition and has been classified as parkland cleared *Eucalyptus gomphocephala* with a few scattered *Agonis flexuosa* (DER, 2016).

Given the completely degraded (Keighery, 1994) condition of vegetation, lack of understorey species and extent of native vegetation in the local area (DER, 2016), the proposed clearing is not likely to impact on rare or priority flora, a priority or threatened ecological community or significant remnant vegetation.

The western ringtail possum, listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950* (WC Act) is known to occur in the Tuart Forest National Park adjoining the eastern boundary of the application area. The applicant has removed an area along the boundary of the property which has been identified as a significant western ringtail possum corridor (Parks and Wildlife, 2016) to avoid significant residual environmental impacts to this species. This has reduced the application area from 2.4 hectares to 2.25 hectares.

A DER site inspection identified one tree containing a hollow within the application area (DER, 2016). Depending on the hollow dimensions, it may be suitable for use by a range of fauna including the Carnaby's

cockatoo, Baudin's cockatoo or forest red-tailed black cockatoo which are all listed as rare or likely to become extinct under the WC Act. A fauna management condition requiring inspection of the application area for native fauna at the time of clearing, including removal and relocation of any identified native fauna, will assist in mitigating the risk of injury/death of black cockatoos or other native fauna as a result of the clearing.

Given the significant western ringtail possum corridor will be avoided and that only one tree with a hollow potentially suitable for black cockatoos was identified within the application area, the proposed clearing is not considered likely to result in significant residual environmental impacts to fauna.

No wetlands or watercourses are mapped within or adjacent to the application area. Given this and that the application area is in completely degraded (Keighery, 1994) condition consisting of paddock trees, the proposed clearing is not likely to impact on riparian vegetation, contribute to or cause appreciable land degradation, deteriorate the quality of ground water or surface water, or cause or exacerbate the incidence or intensity of flooding.

Given the above, the proposed clearing is not likely to be at variance to the clearing Principles.

Methodology References:
DER (2016)
Keighery, B.J. (1994)
Parks and Wildlife (2016)

Planning instruments and other relevant matters.

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

Comment was sought from the Capel Land Conservation District Committee (LCDC) on the application with a submission received 2 March 2016 outlining concerns regarding the loss of habitat trees for western ringtail possum, southern brush tailed-phascogales and black cockatoos. The submission recommends trees be retained including 16 trees near the boundary of the property most distant from the road (Capel LCDC, 2016). The issues raised in the submission have been addressed in the assessment of the application against the clearing principles outlined above.

The applicant has advised that they intend to plant approximately 200 Peppermint trees and Tuart trees within the adjacent Lot to create a 700 metre windbreak (DER, 2016).

The Department of Water has advised that the application area is located within the 'Capel River' reporting subcatchment of the Department of Water's 'Vasse Wonnerup Wetlands and Geographe Bay water quality improvement plan (WQIP) - March 2010'. This WQIP classifies this subcatchment in the 'protection' water quality objective category, where the management objective is to maintain the current good water quality. The Department of Water is of the view that the proposed clearing is of low risk to water quality. The Department of Water also advise that the application area is within the Busselton-Capel Groundwater area as proclaimed under the Rights in Water and Irrigation Act 1914. Any groundwater abstraction in the proclaimed area is subject to licensing by the Department. The applicant has submitted an application to construct bores (CAW000182004) and for a groundwater licence (GWL000182006) (DoW, 2016).

Methodology References:
Capel LCDC (2016)
DER (2016)
DoW (2016)

4. References

- Capel LCDC (2016) Submission for Clearing Permit Application CPS 6923/1. Received 2 March 2016 (ref A1059967).
DER (2016) Site Inspection Report for Clearing Permit Application CPS 6923/1. Site inspection undertaken 2 March 2016. Department of Environment Regulation, Western Australia (ref A1079638).
DoW (2016) Department of Water advice to the Department of Environment Regulation in relation to clearing permit application CPS 6923/1 (ref A1060359).
Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
Parks and Wildlife (2016) Advice from the Department of Parks and Wildlife to the Department of Environment Regulation in relation to clearing permit application CPS 6923/1 dated 18 March 2016. Department of Parks and Wildlife, Perth, Western Australia (ref A1086688).
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.