



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

### PERMIT DETAILS

Area Permit Number: 7543/1

File Number: DER2017/000478

Duration of Permit: From 14 October 2017 to 14 October 2019

### PERMIT HOLDER

Matthew Ward Stadler

Katrina Dorothy Burton

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 9 on Diagram 59768, Elleker

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.99 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7543/1.

### CONDITIONS

#### 1. 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.

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

A blue ink signature of Emma Bramwell, written in a cursive style.

Emma Bramwell

A/ MANAGER

CLEARING REGULATION

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

11 September 2017

# Plan 7543/1



## Legend

-  Roads
-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority
-  Cadastre



1:3,280

(Approximate when reproduced at A4)  
GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

*E Bramwell*  
Date *11/09/17*  
**E BRAMWELL**

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



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## 1. Application details

### 1.1. Permit application details

Permit application No.: 7543/1  
Permit type: Area Permit

### 1.2. Applicant details

Applicant's name: Ms Katrina Dorothy Burton  
Mr Matthew Ward Stadler

### 1.3. Property details

Property: LOT 9 ON DIAGRAM 59768, ELLEKER  
Local Government Authority: ALBANY, CITY OF  
DBCA Region: South Coast  
DBCA District: ALBANY  
Localities: ELLEKER

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 11 September 2017  
Reasons for Decision: The clearing permit application was received on 30 March 2017 and has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986*. It has been concluded that the proposed clearing is not likely to be at variance to any of the clearing principles. The Delegated Officer determined that the clearing is unlikely to have any significant environmental impacts.

## 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 application area is mapped as Beard vegetation association 423 which is described as 'Shrublands; <i>Acacia</i> scrub-heath (Shepherd et al., 2001).	The applicant proposes to clear 0.99 hectares of native vegetation within Lot 9 on Diagram 59768, Elleker, for the purpose of organic farming.	Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).  To  Excellent; Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).	The condition of the vegetation was determined via a Vegetation and Flora Assessment undertaken by Southern Ecology in August 2017.  The Vegetation and Flora Assessment reported that the application area consisted of low forest dominated by <i>Agonis flexuosa</i> (peppermint) (Southern Ecology, 2017).

## 3. Assessment of application against clearing principles

**Comments** The applicant proposes to clear 0.99 hectares of native vegetation within Lot 9 on Diagram 59768, Elleker for the purpose of organic farming.

Eight priority flora species have been recorded within the local area (10 kilometre radius). Five of these species grow in association with swamps and wet areas, and one species grows on gravelly loam. Noting that these habitat are not present within the application area, these species are unlikely to occur within the application area. The remaining two species are Priority 4, which are considered to have been adequately surveyed and not in need of special protection, but could be if circumstances change (Parks and Wildlife, 2015). Suitable habitat for these two species may be present within the application area, however, given that there is an extensive remnant of similar vegetation south of the application and given the Priority 4 status, the proposed clearing is not likely to impact upon the conservation status of these species.

One rare flora species has been recorded within the local area, being a woody perennial herb. This species is known from approximately 313 plants from six populations over a small range of approximately 15 kilometres south of Albany. One population contains the majority of known plants, consisting of 220 plants. The application area is located 4.8 kilometres west of the known extent of this species in similar vegetation (Parks and Wildlife, 2017).

At the request of the Department of Water and Environmental Regulation the applicant commissioned a Vegetation and Flora Assessment over the application area. The targeted survey was undertaken in August 2017 and did not identify any rare or priority flora within the application area (Southern Ecology, 2017). The proposed clearing is not likely to impact on vegetation necessary for the maintenance of rare or priority flora.

No threatened ecological communities (TEC) have been recorded within the local area. Six priority ecological communities (PEC) have been recorded within the local area. The vegetation within the application area is not consistent with these PECs. The proposed clearing is not likely to impact on vegetation necessary for the maintenance of TECs or PECs.

Eleven terrestrial fauna species listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950* have been recorded within the local area, including; Carnaby's cockatoo (*Calyptorhynchus latirostris*), forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*), Baudin's cockatoo (*Calyptorhynchus baudinii*), woylie (*Bettongia penicillata* subsp. *ogilbyi*), western ringtail possum (*Pseudocheirus occidentalis*), quokka (*Setonix brachyurus*) and chuditch (*Dasyurus geoffroii*) (DBCA, 2007-).

Photographs provided by the applicant indicate that the application area comprises of low open forest dominated by peppermint trees. Peppermint trees are the preferred habitat for western ringtail possums, however, given the relatively small application area it is not likely to comprise of significant habitat for this species. The 8.4 hectare property is approximately 90 per cent vegetated and therefore, post clearing, the property would retain approximately 6.5 hectares of similar fauna habitat. The property is part of a larger contiguous remnant which is in excess of 3,000 hectares. The application area is not likely to comprise significant habitat for indigenous fauna, and the proposed clearing is not likely to fragment fauna habitat.

The application area is located within the Warren bioregion, which retains approximately 79 per cent of its pre-European vegetation extent (Government of Western Australia, 2016). The application area is mapped as Beard vegetation association 423, which retains approximately 80 per cent of its pre-European extent in the Warren bioregion (Government of Western Australia, 2016). The local area retains approximately 40 per cent vegetation cover. The application area is not likely to be a significant remnant in an extensively cleared area.

No watercourses or wetlands are located within, or within close proximity to, the application area. The closest water feature is Lake Powell, which is located approximately 670 metres north of the application area. The proposed clearing is not likely to impact on vegetation growing in association with a wetland or watercourse, and is not likely to cause deterioration in the quality of surface water.

Based on the mapped land degradation risk, the proposed clearing has a relatively low likelihood of causing waterlogging and flooding (Schoknecht *et al.*, 2004). The application area is mapped as 'greater than 70 per cent of the map unit having a high to extreme risk of wind erosion' and '30-50 per cent of the map unit having a high to extreme risk of water erosion' (Schoknecht *et al.*, 2004). The application area, post clearing, would be surrounded on three sides by native vegetation which will act as a buffer to wind and water erosion. The Commissioner for Soil and Land Conservation advised that the proposed clearing is unlikely to cause appreciable land degradation (Commissioner for Soil and Land Conservation, 2017)

The closest conservation area to the application area is Lake Powell Nature Reserve which is located approximately 670 metres north of the application area. The application area is separated from this conservation area by agricultural land. The proposed clearing is not likely to impact on the environmental values of this conservation area. Notwithstanding, the proposed clearing may increase the risk of weeds or dieback being spread into adjacent vegetation, and weed and dieback management will reduce this risk.

Groundwater salinity within the application area is mapped as 500-1,000 total dissolved solids, milligrams per litre. This level of groundwater salinity is classified as 'marginal'. Noting the size of the application area and extent of native vegetation in the local area, the proposed clearing is not likely to increase groundwater salinity.

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

## Methodology

### References:

Commissioner for Soil and Land Conservation (2017)  
DBCA (2007-)  
Government of Western Australia (2016)  
Parks and Wildlife (2015)  
Parks and Wildlife (2017)  
Schoknecht *et al.* (2004)  
Southern Ecology (2017)

### GIS Datasets:

Groundwater Salinity  
Hydrography, linear  
Parks and Wildlife Tenure  
Pre-European vegetation  
NLWRA, Current Extent of Native Vegetation  
Sac Bio Datasets – accessed April 2017  
Soils, statewide

## Planning instruments and other relevant matters.

**Comments** The application area is located within the Albany Groundwater Area which is a proclaimed area under the *Rights in Water and Irrigation Act 1914*. If the applicant intends on using groundwater for the proposed organic farm, a licence would be required to construct a bore and to take water (DoW, 2017). At this stage an application for such as licence has not been received by the Department. Water availability in the Grasmere sub-area is limited (DoW, 2017). The applicant advised that the region has suitable rainfall to grow a number of vegetables over winter without additional groundwater being required.

On 30 August 2017, the City of Albany granted Development Approval for the purpose of 'Agriculture – Intensive (Organic Vegetables)' (City of Albany, 2017).

The application was advertised online on 19 April 2017 for a 21 day submission period. A publication summary was advertised in *The West Australian* on Monday 24 April 2017. No submissions were received in relation to this application.

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

**Methodology** References:  
City of Albany (2017)  
DoW (2017)

GIS Databases:  
Aboriginal Sites of Significance  
RIWI, Groundwater Areas

## 4. References

- City of Albany (2017) Development Approval. Proposed Agriculture – Intensive (Organic Vegetables) at 408 Elleker-Grasmere Road Elleker WA 6330 (DWER Ref: A1516515).
- Commissioner of Soil and Land Conservation (2017) Land Degradation Advice and Assessment Report for clearing permit application CPS 7543/1 received 27 June 2017; Department of Agriculture and Food Western Australia (DER Ref: A1461434).
- Department of Biodiversity, Conservation and Attractions (DBCA) (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed April 2017.
- Department of Parks and Wildlife (2015) Conservation Codes for Western Australian Flora and Fauna. Department of Parks and Wildlife, Perth, Western Australia.
- Department of Parks and Wildlife (Parks and Wildlife) (2017) Species and Communities flora advice for Clearing Permit Application CPS 7543/1. Received on 13 June 2017 (DER Ref: A1450118).
- Department of Water (DoW) *Right in Water and Irrigation Act 1914* advice for Clearing Permit Application CPS 7543/1 (DER Ref: A1424918).
- Government of Western Australia (2016). 2016 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2016. WA Department of Parks and Wildlife, Perth.
- Schoknecht, N., Tille, P. and Purdie, B. (2004) Soil-landscape mapping in South-Western Australia – Overview of Methodology and outputs' Resource Management Technical Report No. 280. Department of Agriculture.
- 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.
- Southern Ecology (2017) Vegetation and Flora Assessment Lot 9/59768 Elleker CPS 7543/1. August 2017 (DWER Ref: A1516458).
- Stadler and Burton (2017) Photos provided with Clearing Permit Application CPS 7543/1 (DER Ref: A1404165).