



1. Application details

1.1. Permit application details

Permit application No.: 788/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: **BMP Holdings Pty Ltd and Lure Holdings Pty Ltd**

1.3. Property details

Property: LOT 56 ON PLAN 129531 (PICTON EAST 6229)
LOT 200 ON PLAN 34987 (Lot No. 200 HARRIS PICTON EAST 6229)
Local Government Area: City Of Bunbury & Shire Of Dardanup
Colloquial name:

1.4. Application

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

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
Heddlle: Southern River Complex - consists of open woodland of marri-jarrah-banksia on elevated areas and fringing woodland of Eucalyptus rudis and Melaleuca raphiophylla along the streams. South of the Murray River Agonis flexuosa occurs in association with the flooded gum and swamp paperbark.	The vegetation on Lot 56 and part of Lot 200 (west of rail reserve only) consists of Corymbia calophylla and Agonis flexuosa, with scattered Xylomelum occidentale within the area. The property is completely cleared, with the above mentioned species found around the border of the property only. The structure of the vegetation is no longer in tact with no native mid or understorey species existing. Rye grass and other exotic species are prolific.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	Condition determined by Site Inspection.

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 is not likely to be at variance to this Principle

Part of Lot 200 (eastern side of rail reserve only) has previously been assessed by the Environmental Protection Authority, who recommended the proposal to clear this vegetation was environmentally unacceptable (EPA Bulletin 1112). The Minister for the Environment agreed with these recommendations and under section 48(8) of the Environmental Protection Act 1986 (EP Act) advised the proponent the clearing proposal may not be implemented. Under section 51F of the EP Act, this portion of vegetation cannot be considered in this assessment report.

The following comments therefore relate to Lot 56 and part of Lot 200 (western side of rail reserve) only.

The property is completely cleared with vegetation only found around the perimeter. It consists of scattered mature trees over an understorey of exotic species. The condition of the vegetation was rated to be Completely Degraded (Keighery, BJ 1994). Given the low level of species and ecosystem diversity, it is therefore unlikely this vegetation is representative of an area of outstanding biodiversity in the local area.

It is concluded the proposed clearing is not at variance to this principle.

Methodology DEC Site Report 2006
Keighery 1994

(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 is not likely to be at variance to this Principle

Part of Lot 200 (eastern side of rail reserve only) has previously been assessed by the Environmental Protection Authority, who recommended the proposal to clear this vegetation was environmentally unacceptable (EPA Bulletin 1112). The Minister for the Environment agreed with these recommendations and under section 48(8) of the Environmental Protection Act 1986 (EP Act) advised the proponent the clearing proposal may not be implemented. Under section 51F of the EP Act, this portion of vegetation cannot be considered in this assessment report.

The following comments therefore relate to Lot 56 and part of Lot 200 (western side of rail reserve) only.

A site visit of the property confirmed the vegetation may provide some habitat for fauna species, however the level of disturbance within the site (no mid or understorey) is likely to limit the habitat value of the vegetation. The property is located within close proximity to urban transport routes and is located within the industrial area. These factors suggest the original biodiversity and habitat value has been significantly compromised.

Given this information it is concluded the clearing proposal is not likely to be at variance to this principle.

Methodology DEC Site Report 2006
GIS Database:
- Threatened and Priority fauna - CALM (CALM 2004).

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

Comments Proposal is not likely to be at variance to this Principle

Part of Lot 200 (eastern side of rail reserve only) has previously been assessed by the Environmental Protection Authority, who recommended the proposal to clear this vegetation was environmentally unacceptable (EPA Bulletin 1112). The Minister for the Environment agreed with these recommendations and under section 48(8) of the Environmental Protection Act 1986 (EP Act) advised the proponent the clearing proposal may not be implemented. Under section 51F of the EP Act, this portion of vegetation cannot be considered in this assessment report.

The following comments therefore relate to Lot 56 and part of Lot 200 (western side of rail reserve) only.

Diuris drummondii (Declared Rare Flora) occurs 5km north of the area under application, however it does not exist within the same vegetation complex and is not linked by vegetation.

There are three Priority 2 species in the local area, the closest being *Carex tereticaulis*. This occurs 4.2km from the property and is not found within the same vegetation complex.

The Priority 3 species, *Verticordia attenuata*, occurs 1.2km from the proposed clearing and exists within the same vegetation complex. Another eight Priority 3 specimens have been identified within the local area (10km radius).

There are 32 Priority 4 species within the local area. *Pultenaea skinneri* exists 2.8km from the area under application and is found within the same vegetation complex.

Given the degraded condition of the vegetation proposed for clearing, and severe disturbance to the mid and understorey, its ability to support identified priority species is extremely limited.

Given the above it is concluded the proposed clearing is not likely to be at variance to this principle.

Methodology DEC Site Report 2006
GIS Database:
- Declared Rare and Priority Flora List - CALM 13/08/03
- Hedde Vegetation Complexes - DEP 21/06/95

(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

Part of Lot 200 (eastern side of rail reserve only) has previously been assessed by the Environmental Protection Authority, who recommended the proposal to clear this vegetation was environmentally unacceptable

(EPA Bulletin 1112). The Minister for the Environment agreed with these recommendations and under section 48(8) of the Environmental Protection Act 1986 (EP Act) advised the proponent the clearing proposal may not be implemented. Under section 51F of the EP Act, this portion of vegetation cannot be considered in this assessment report.

The following comments therefore relate to Lot 56 and part of Lot 200 (western side of rail reserve) only.

Ten Threatened Ecological Communities (TEC) exist within the local area. The closest is located 4.6km west of the proposed clearing.

One Threatened Plant Community (TPC) is found 4.1km west of the area under application, within the same area as several TEC's.

Given the degraded condition of the vegetation, and the distance from the identified TEC's it is unlikely the clearing of the vegetation (approximately 2 hectares) will significantly impact either of the identified TEC's or TPC's within the local area.

It is concluded the clearing proposal is not likely to be at variance to this principle.

Methodology DEC Site Report 2006
GIS Database:
- Threatened Ecological Communities - CALM 15/7/03
- Threatened Plant Communities - DEP 06/95

(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 not likely to be at variance to this Principle

Part of Lot 200 (eastern side of rail reserve only) has previously been assessed by the Environmental Protection Authority, who recommended the proposal to clear this vegetation was environmentally unacceptable (EPA Bulletin 1112). The Minister for the Environment agreed with these recommendations and under section 48(8) of the Environmental Protection Act 1986 (EP Act) advised the proponent the clearing proposal may not be implemented. Under section 51F of the EP Act, this portion of vegetation cannot be considered in this assessment report.

The following comments therefore relate to Lot 56 and part of Lot 200 (western side of rail reserve) only.

The application is located in the Swan Coastal Plain Bioregion in the Shire of Dardanup. The extent of native vegetation in these areas is 41.8% and 52.2% respectively (Shepherd et al. 2001). There is approximately 20% of native vegetation remaining in the local area.

The Beard vegetation type (Unit 1000) has 24.6% of the Pre-European vegetation remaining and the Heddle vegetation complex, Southern River Complex, has 19.8% remaining. Both of these identified vegetation types have been given a 'vulnerable' status for biodiversity conservation by the Department of Natural Resources and Environment.

Although the identified complexes under application are poorly represented, the vegetation proposed for clearing was rated to be in degraded condition (Keighery, BJ 1994). Its basic structure has been severely impacted and it does not have the ability to regenerate without intensive management. The property is completely cleared with scattered trees found around the boundary only. Given that most of the signature species for the identified vegetation complexes do not exist within the area, it has been concluded the vegetation is not representative of these complexes.

Given the above the clearing proposal is not likely to be at variance to this principle.

Methodology DEC Site Report 2006
Shepard et al. 2001
Department of Natural Resources and Environment 2002
Heddle et al. 2001
GIS Database:
- Heddle Vegetation Complexes - DEP 21/06/95
- Interim Biogeographic Regionalisation of Australia - EM 18/10/00
- Pre European Vegetation - DA 01/01
- Local Government Authorities - DLI 8/07/04

(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 is not likely to be at variance to this Principle

Part of Lot 200 (eastern side of rail reserve only) has previously been assessed by the Environmental Protection Authority, who recommended the proposal to clear this vegetation was environmentally unacceptable (EPA Bulletin 1112). The Minister for the Environment agreed with these recommendations and under section 48(8) of the Environmental Protection Act 1986 (EP Act) advised the proponent the clearing proposal may not be implemented. Under section 51F of the EP Act, this portion of vegetation cannot be considered in this assessment report.

The following comments therefore relate to Lot 56 and part of Lot 200 (western side of rail reserve) only.

A wetland exists in the north western corner of Lot 56. Under the Water and Rivers Commission's Wetland Position Statement it has been classed as a 'multiple use' wetland. These are defined as wetlands with few important ecological attributes and functions remaining. Much of the area has already been cleared and the vegetation remaining has been rated to be in degraded condition.

Another wetland exists approximately 150 metres east of the proposed clearing and is part of Lot 200 (eastern side of rail reserve). This wetland has been classed as a 'resource enhancement' wetland which is defined as one that may have been partially modified but still support substantial ecological attributes and functions.

The vegetation proposed for clearing, on the western side of the rail reserve, has been rated to be in degraded condition and it is therefore concluded it is not acting as an effective buffer to the wetland. The 150 metres between the wetland and the proposed clearing is fully vegetated and it is believed this would be a sufficient buffer to protect its attributes.

The Ferguson River is approximately 500m south of the property and is unlikely to be impacted by the proposed clearing of 2 hectares of degraded vegetation.

An EPP Lake exists approximately 600 metres south south west of the property, however given the degraded condition of the vegetation and total area of the proposed clearing, it is concluded the clearing of 2 hectares of degraded vegetation will not significantly impact the lake.

It is concluded the proposed clearing is not likely to be at variance to this principle.

Methodology DEC Site Report 2006
GIS Database:
- EPP Lakes - DEP 28/07/03
- Geomorphic Wetlands (Mgt Categories) Swan Coastal Plain - DoE 15/904
- Hydrography Linear - DoE 1/2/04

(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

Part of Lot 200 (eastern side of rail reserve only) has previously been assessed by the Environmental Protection Authority, who recommended the proposal to clear this vegetation was environmentally unacceptable (EPA Bulletin 1112). The Minister for the Environment agreed with these recommendations and under section 48(8) of the Environmental Protection Act 1986 (EP Act) advised the proponent the clearing proposal may not be implemented. Under section 51F of the EP Act, this portion of vegetation cannot be considered in this assessment report.

The following comments therefore relate to Lot 56 and part of Lot 200 (western side of rail reserve) only.

There is a low risk of salinity within the area proposed for clearing.

There is a class 3 risk (no known risk) of acid sulphate soils occurring within the area under application.

It is therefore concluded that the clearing of 2 hectares of vegetation in degraded condition is not likely to be at variance to this principle.

Methodology DEC Site Report 2006
GIS Database:
- Acid Sulfate Soil Risk Map, SCP - DoE 01/02/04
- Groundwater Salinity, Statewide - 22/02/00

(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 is not likely to be at variance to this Principle

Part of Lot 200 (eastern side of rail reserve only) has previously been assessed by the Environmental Protection Authority, who recommended the proposal to clear this vegetation was environmentally unacceptable (EPA Bulletin 1112). The Minister for the Environment agreed with these recommendations and under section 48(8) of the Environmental Protection Act 1986 (EP Act) advised the proponent the clearing proposal may not be implemented. Under section 51F of the EP Act, this portion of vegetation cannot be considered in this assessment report.

The following comments therefore relate to Lot 56 and part of Lot 200 (western side of rail reserve) only.

The Boyanup State Forest is located 9.3km south of the property and there is no substantial vegetated link to the area under application.

A Register of National Estate, the Old Picton Inn, exists 3.6 km from the proposed clearing.

Given the size of the area under application (2 hectares) and that the vegetation is in degraded condition (Keighery, BJ 1994), it is not likely the proposal will impact the identified conservation area.

It is concluded the proposed clearing is not likely to be at variance to this principle.

Methodology DEC Site Report 2006
GIS Database:
- CALM Managed Lands and Waters - CALM 1/06/04
- Register of National Estate - EA 28/01/03

(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

Part of Lot 200 (eastern side of rail reserve only) has previously been assessed by the Environmental Protection Authority, who recommended the proposal to clear this vegetation was environmentally unacceptable (EPA Bulletin 1112). The Minister for the Environment agreed with these recommendations and under section 48(8) of the Environmental Protection Act 1986 (EP Act) advised the proponent the clearing proposal may not be implemented. Under section 51F of the EP Act, this portion of vegetation cannot be considered in this assessment report.

The following comments therefore relate to Lot 56 and part of Lot 200 (western side of rail reserve) only.

Although a small section of the area under application is mapped to exist within a wetland, it is currently been used as a storage site for heavy duty machinery. The property has been completely cleared with the exception of the vegetation (tree species only) found along the boundary of the property. The entire property has been filled with sand and is now used as a parking / storage site for the applicant. Removal of the remaining vegetation will not significantly reduce the quality of the surface or ground water of the local area.

Given the above information it is concluded the proposal is not likely to be at variance to this principle.

Methodology DEC Site Report 2006
GIS Database:
- Geomorphic Wetlands (Mgt Categories) Swan Coastal

(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

Part of Lot 200 (eastern side of rail reserve only) has previously been assessed by the Environmental Protection Authority, who recommended the proposal to clear this vegetation was environmentally unacceptable (EPA Bulletin 1112). The Minister for the Environment agreed with these recommendations and under section 48(8) of the Environmental Protection Act 1986 (EP Act) advised the proponent the clearing proposal may not be implemented. Under section 51F of the EP Act, this portion of vegetation cannot be considered in this assessment report.

The following comments therefore relate to Lot 56 and part of Lot 200 (western side of rail reserve) only.

Due to the scale of the proposed clearing, flooding impacts are unlikely to occur.

It is concluded the proposal is not likely to be at variance to this principle.

Methodology GIS Database:
 - Topographic Contours, Statewide - DOLA 12/09/02

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

Comments

The Minister for the Environment released the following statement on 22 March 2006:
 "Clearing of approximately 22 hectares of native vegetation for agriculture: Collie Agricultural Area Lot 37 Harris Road, Picton (Assessment No. 1474).
 Following the agreement of the relevant decision-making authorities and in accordance with section 45(8) of the Environmental Protection Act 1986, I advise you that the above proposal may not be implemented."

The applicant was informed of this decision via post on the same day.

The property has since been subdivided where Lot 37 Harris Road is now Lot 200 on Plan 34987.

The Department received a submission commenting on total amount of vegetation proposed for clearing. It considered the biodiversity of the vegetation to be of regional importance.

Under section 51F (2) of the EP Act, the CEO does not have to consider a clearing proposal that is related to a decision previously made by a decision making authority preventing the implementation of the proposal.

Assessment of the proposal therefore, was only completed for the sections of vegetation that do not relate to the area previously assessed by the EPA and determined by the Minister to be environmentally unacceptable.

The property is zoned General Farming under the Town Planning Scheme Zones. The property also exists with the Preston Industrial Park Structure Plan. This is currently in draft stage, however the 2 hectares being assessed for clearing have not been zoned as an area which has 'environmental constraints'. The vegetation previously assessed by the EPA has been identified as an area with constraints.

The Shire of Dardanup advised the clearing application, with a proposed landuse of industrial development, is not compatible with the current 'general farming' zoning. The Shire was commenting on the clearing proposal for 24.5 hectares. Correspondence between the Shire and the Department since then has resulted in the Shire not objecting to the 2 hectares of vegetation on the western side of the rail reserve being approved for clearing (Ref: DOC6767).

Methodology Preston Industrial Park Structure Plan 2004
 GIS Database:
 - Town Planning Scheme Zones MFP 8/98

4. Assessor's recommendations

Purpose	Method	Applied area (ha)/ trees	Decision	Comment / recommendation
Industrial	Mechanical Removal	24.5	Refuse: 22.42ha	<p>The Minister for the Environment released the following statement on 22 March 2006: "Clearing of approximately 22 hectares of native vegetation for agriculture: Collie Agricultural Area Lot 37 Harris Road, Picton (Assessment No. 1474). Following the agreement of the relevant decision-making authorities and in accordance with section 45(8) of the Environmental Protection Act 1986, I advise you that the above proposal may not be implemented."</p> <p>The applicant was informed of this decision via post on the same day.</p> <p>The property has since been subdivided where Lot 37 Harris Road is now Lot 200 on Plan 34987.</p> <p>Under section 51F of the EP Act, the CEO shall not make a decision contrary to the Minister's decision previously made in relation to the vegetation on Lot 200.</p>
Industrial	Mechanical Removal	24.5	Grant: 2.08ha	<p>It is therefore recommended the clearing proposal for 22.42 hectares of vegetation, found on the eastern side of the rail reserve within Lot 200, be refused. The vegetation found on the western side of the rail reserve, within Lot 200, has not previously been assessed under section 38 of the EP Act.</p> <p>Assessment of this vegetation found none of the principles to be at variance to the clearing proposal.</p> <p>The vegetation consists of native trees species which only exist around the boundary of the property. It was rated to be in degraded condition.</p> <p>No objections have been received for the clearing of the vegetation within this area.</p>

it is therefore recommended the clearing of 2.08 hectares of vegetation, on the western side of the rail reserve, within Lot 200, be granted.

5. References

- Department of Environment and Conservation (2006) Site Report, Department of Environment and Conservation, Western Australia
- 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.
- Department of Planning and Infrastructure (2004) Preston Industrial Park Structure Plan: Water Resources and Vegetation Management Strategy, ENV Australia Western Australia.
- 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.
- Hill, A.L., Semenuik, C. A, Semenuik, V. Del Marco, A. (1996) Wetlands of the Swan Coastal Plain. Volume 2b, Wetland mapping, classification and evaluation. Wetland Atlas. WRC and DEP. Perth WA.
- 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)

