



1. Application details

1.1. Permit application details

Permit application No.: 1107/1
 Permit type: Area Permit

1.2. Proponent details

Proponent's name: Stuart Ian Donaldson

1.3. Property details

Property: LOT 12961 ON PLAN 211103 (MANJIMUP (S))
 Local Government Area: Shire Of Manjimup
 Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.8		Mechanical Removal	Fence Line Maintenance

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 (Veg Ass.23): Low woodland; jarrah-banksia	Lot 12961 (western corner) Note: ESA covering majority of the area under application	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994)	Vegetation condition was taken from the DoE Site Visit Report (2005) undertaken for a previous clearing application on Lots 12961 and 12033 Richardson Rd, Northcliffe.
Mattiske: BLACKWATER (BWp) - Mosaic of low open woodland of <i>Melaleuca preissiana</i> , low open woodland of <i>Melaleuca cuticularis</i> , open heath of Myrtaceae-Proteaceae spp. and sedgelands of Restionaceae spp. on low lying flats in hyperhumid and perhumid zones.	A DoE Site Report (2005) found that the vegetation condition varied between very good and excellent (Keighery, BJ 1994). The area proposed for clearing consisted of open Jarrah-marri forest and extensive heath communities. <i>Corymbia calophylla</i> dominated the forest with other species including <i>Persoonia longifolia</i> (snottygobble), <i>Banksia grandis</i> (bull banksia), with a dense understorey of <i>Bossiaea linophylla</i> , <i>Acacia</i> spp., <i>Xanthorrhoea</i> spp., <i>Hakea</i> spp.		The current application to clear 0.8ha of native vegetation falls within the western corner of Lot 12961 Richardson Rd which is located within the same area covered by the DoE Site Visit Report (2005).
BROAD SWAMPS (S4) - Low woodland of <i>Eucalyptus marginata</i> subsp. <i>marginata</i> - <i>Nuytsia floribunda</i> with some <i>Melaleuca preissiana</i> and closed heaths of Myrtaceae spp. on broad drainage lines in hyperhumid and perhumid zones.	The sedgelands and heath communities included <i>Melaleuca preissiana</i> (moonah), <i>Kunzea recurva</i> , Myrtaceae-Proteaceae spp.		
BLACKWATER (BWp) - Mosaic of low open woodland of <i>Melaleuca preissiana</i> , low open woodland of <i>Melaleuca cuticularis</i> , open heath of Myrtaceae-Proteaceae spp. and sedgelands of Restionaceae spp. on low lying flats in hyperhumid and perhumid zones.	There was evidence of weed invasion (edge effects) from the existing cleared areas. None of the vegetation was fenced to exclude cattle on the property. In some areas close to the tributary, the dense understorey seemed to be deterring the cattle from walking too far in and disturbing the vegetation.		

See above See above Very Good: Vegetation See above

structure altered;
obvious signs of
disturbance (Keighery
1994)

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 at variance to this Principle**

The area under application is for clearing of 0.8ha of native vegetation for the construction of a fenceline and associated firebreaks within Lot 12961 Richardson Rd, Northcliffe.

The vegetation proposed for clearing was rated to vary between very good and excellent condition (Keighery BJ, 1994) by DoE officers (DoE Site Visit Report, 2005). The Report identified the vegetation to be a good representation of the Mattiske related complexes, Broad Swamps (S4), Blackwater (BWp) and Collis (COy1).

The area under application is located entirely within a wetland classified as a Palusplain (seasonally waterlogged flat) as identified in the 'Mapping and Wetland Classification of Wetlands from Augusta to Walpole in the South West of Western Australia' and has been classified as an Environmentally Sensitive Area as declared in Regulation 6 in Government Gazette No. 115 Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

The Department's Wetlands Program (2005) has identified the area under application as forming part of the Walpole River Suite which is widely dispersed throughout the Augusta to Walpole region. These areas are recognised for their representativeness, faunal values and hydrological and ecological linkages. Many of the wetlands in the suite have been cleared for rural activities. These wetlands are restricted to the south coast of Western Australia due to the combination of precipitation/evaporation conditions, and as such, they are an important indicator of the climatic difference between the Swan Coastal Plain and the southern coastal plain between Augusta and Walpole. From the available information, DEC considers that these wetland areas possess the values of Conservation category wetlands. The EPA states in Environmental Offsets Preliminary Version 2 Position Statement No. 9 (EPA, 2004) that Conservation category wetlands are recognised as 'critical assets', which represent the most important environmental assets in the State that must be fully protected and conserved.

The Department of Environment's Wetland Program (2005) advised that:

'In the Northcliffe area, researchers have identified endemic and new species of invertebrates. In addition, the Northcliffe area also contains habitat for the frog species *Geocrinia lutea*, which is extremely restricted in occurrence (V & C Semeniuk Research Group, 1997).'

A first order, perennial watercourse exists in the eastern corner of Lot 12961 and within the area under application. CALM (2005) provided the Department with advice recommending any identified riparian vegetation be protected from clearing to maintain stream quality and the habitats associated with riparian areas.

Given the environmental attributes listed above, the Department believes the area proposed for clearing on Lot 12961 Richardson Rd, Northcliffe has a high level of biodiversity and should be retained.

The proposal is considered to be at variance to this principle.

Methodology DoE Site Visit Report, 2005
EPA (2004)
DoE Wetlands Program Memo (2005)
CALM (2005)
Keighery BJ, 1994
GIS Database:
- Mattiske Vegetation - CALM 24/3/98
- Clearing Regulations - Environmentally Sensitive Areas - DoE 30/5/05
- Geomorphic Wetlands, Augusta to Walpole - 18/6/03
- Hydrography, Linear - DOE 1/2/04

(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**

A DEC Site Visit Report (2005) rated the condition of the vegetation within these wetlands to vary from very good to excellent.

The Department of Environment's Wetland Program (2005) provided the following advice on the areas under application identified as falling within the mapped Geomorphic Wetlands Augusta to Walpole:

'In the Northcliffe area, researchers have identified endemic and new species of invertebrates. In addition, the Northcliffe area also contains habitat for the frog species *Geocrinia lutea*, which is extremely restricted in occurrence (V & C Semeniuk Research Group, 1997).'

CALM advice received on 30/06/05 provided the following comments:

'To maximise stream quality and habitat associated with streams, clearing should not be permitted within riparian zones.'

Given the above information the Department believes the vegetation under application may provide a significant habitat for fauna species known to occur in the local area. It is considered that the proposal may be at variance to this principle.

Methodology CALM (2005)
DoE Wetlands Program Memo (2005)
DoE Site Report (2005)

(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

There are two mapped records of Declared Rare Flora (DRF) and 24 occurrences of Priority Flora within a twenty kilometre radius of the area under application. The closest is a Priority 4 flora, *Asplenium aethiopicum* located 7.3km north-west of the proposed clearing area. The two mapped occurrences of DRF *Kennedia glabrata* are located at distances of 16.3km and 20km from the area under application, and occur on different vegetation types to the proposed clearing. Four Priority 3 species occur on the same Mattiske vegetation complexes as that of the proposed clearing, the closest being a Priority 3 species, *Meeboldina crassipes*, at approximately 12km from the area proposed to be cleared.

However, CALM Report (2005) provided the following advice:

'A flora survey to determine the presence of any flora taxa of conservation significance would be desirable, but without additional justification would not be warranted, considering the size and fragmented nature of the clearing proposal and the fact that similar habitats appear to be well represented within the nearby Warren State Forest and D'Entrecasteaux National Park.'

Given the above information the Department believes the proposal is not likely to be at variance to this principle.

Methodology CALM (2005)
GIS Database:
- Declared Rare and Priority Flora List - CALM 13/08/03

(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

Mapping indicates there are no known threatened ecological communities (TECs) within a fifteen kilometre radius of the area under application.

Advice received from CALM on 30/06/05 stated:

"There are no recorded occurrences of TEC's in the local area."

Given the above information the Department considers the proposal is not likely to be at variance with this principle.

Methodology CALM (2005)
GIS Database:
- Threatened Ecological communities - CALM 12/04/05
- 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 at variance to this Principle

	Pre-European (ha)*	Current Extent Remaining (ha)*	(%)*	Conservation Status**
IBRA Bioregion: Warren***	836 270	724 014	86.6	Least concern
Shire: Manjimup	705,670	591,748	83	Least Concern

Beard Unit 23	50 127	33 700	67.2	Least Concern
Mattiske:				
S4 Complex	15, 684	9 954	63.5	Least Concern
BWp Complex	325 413	287 703	88.4	Least Concern
S1 Complex	255 050	215 886	84.6	Least Concern

* (Shepherd et al. 2001)

** (Department of Natural Resources and Environment 2002)

*** Within the Intensive Landuse Zone

The area under application is located within the Warren Bioregion in the Shire of Manjimup. The extent of native vegetation in these areas is 86.6% and 83% respectively (Shepherd et al. 2001). A large portion of this is made up of state forest, national park and timber reserve.

Both the Beard vegetation types and Mattiske vegetation complexes proposed for clearing have >60% remaining of pre-European vegetation. These vegetation types are therefore considered as having a conservation status of 'Least Concern' (Department of Natural Resources and Environment, 2002).

Given that the proposed clearing meets the National Objectives Targets for Biodiversity Conservation 2001 - 2005 (being greater than 30% of that present pre-1750), the proposal is not at variance to this principle.

Methodology Shepherd et al. (2001)
 Department of Natural Resources and Environment (2002)
 GIS database:
 - Mattiske Vegetation - CALM 24/3/98
 - 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 at variance to this Principle

The area under application is located entirely within a wetland classified as a Palusplain (seasonally waterlogged flat) as identified in the 'Mapping and Wetland Classification of Wetlands from Augusta to Walpole in the South West of Western Australia' and has been classified an Environmentally Sensitive Area as declared in Regulation 6 in Government Gazette No. 115 Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

Advice was sought from DoE's Wetlands Program (2005), with the following recommendations being made:

'The Augusta to Walpole wetlands have been evaluated through a preliminary process (V & C Semeniuk Research Group, 1997), however, they have not been assigned management categories. The wetlands included in the study area have been assigned to a consanguineous suite which may provide an indication of regional significance and representativeness (Hill et al., 1996).'

'The wetland areas located at Lot 12961 and 12033 Richardson Rd, Northcliffe are identified in the Walpole River Suite which is widely dispersed throughout the Augusta to Walpole region and occurs in a variety of areas. Wetlands within the Walpole River Suite are recognised for representativeness, their faunal values and hydrological and ecological linkages. These wetlands are restricted to the south coast of Western Australia due to the combination of precipitation/evaporation conditions, and as such, they are an important indicator of the climatic difference between the Swan Coastal Plain and the southern coastal plain between Augusta and Walpole. Many of the wetlands in the suite have been cleared for rural activities.'

'In addition, the high naturalness values of the wetland areas on Lots 12961 and 12033 have been demonstrated with a vegetation condition of Very Good to Excellent. From the available information, DEC considers that these wetland areas possess the values of Conservation category wetlands. The EPA states in Environmental Offsets Preliminary Version 2 Position Statement No. 9 (EPA, 2004) that Conservation category wetlands are recognised as 'critical assets', which represent the most important environmental assets in the State that must be fully protected and conserved.'

'The Wetlands Program supports the refusal of the proposed clearing application due to the significant values of the wetland areas on the property.'

A first order, perennial stream exists in the eastern corner of Lot 12961 and within the area under application. CALM (2005) provided the Department with advice recommending any identified riparian vegetation be protected from clearing to maintain stream quality and the habitats associated with riparian areas. The

proposed clearing intersects the identified stream, and consequently will include the removal of associated riparian vegetation.

Given the above information relating to the wetlands and first order perennial stream on Lot 12961, the proposal is at variance to this principle.

Methodology Water and Rivers Commission (2001) Position Statement: Wetlands
Wetlands Program Memo (2005)
GIS Database:
- Clearing Regulations - Environmentally Sensitive Areas - DoE 30/5/05
- Geomorphic Wetlands, Augusta to Walpole - 18/6/03
- 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

In respect to the previous clearing application on Lot 12961, the Deputy Commissioner for Soil and Land Conservation (2005) provided the following advice:

"The proposed clearing of 18 hectares of land on Nelson Locations 8910, 12961 and 12033 is unlikely to cause appreciable land degradation. Therefore, this clearing is unlikely to be at variance with this principle (g)."

Given that the area applied to be cleared lies within Lot 12961, the above information is considered applicable to the current clearing application.

Methodology Department of Agriculture (2005)

(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

CALM managed reserves within the local area (10km radius) include Brockman National Park, D'Entrecasteaux National Park, Gardner State Forest, Warren National Park and Warren State Forest (CALM 2005).

A minor perennial watercourse intersects the proposed clearing area and flows into the Warren State Forest to the north.

CALM advice (2005) was requested in relation to the previous clearing application on Lot 12961 Richardson Rd, Northcliffe and the following recommendations were received:

"The proposed clearing is not anticipated to result in a significant impact on the conservation reserves in the local area provided there is no clearing within the riparian zones of streams that flow into the conservation estate". Irrespective of the direct clearing of riparian vegetation, a minor impact on the hydrology of the adjacent Warren State Forest may be experienced since the (cluster of) area(s) proposed to be cleared appear(s) to form part of a local catchment that flows to a CALM estate that is managed for timber production."

Given that the proposed clearing will include the removal of riparian vegetation which may impact the environmental values of nearby conservation areas, the Department concludes the proposal may be at variance to this principle.

Methodology CALM (2005)
GIS Database:
- CALM Managed Land and Waters - CALM 1/06/04
- Hydrography, Linear - DOE 1/2/04
- Hydrographic Catchments - Catchments - DOE 23/3/05

(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 may be at variance to this Principle

A minor perennial watercourse and perennial lake lie within the area proposed for clearing. The proposed clearing of native vegetation would therefore include loss of riparian vegetation associated with these waterbodies. Water and Rivers Commission Position Statement on Wetlands (2001) outlines the significance of riparian vegetation and buffers in 'protecting wetlands from potential deleterious impacts while helping safeguard and maintain ecological processes within the wetland'. CALM (2005) have advised that clearing should not be permitted within any riparian zones.

Given the above, clearing of native vegetation within the identified wetland and perennial watercourse may cause deterioration in the quality of surface water and, as such, may be at variance to this principle.

Methodology CALM (2005)

Water and Rivers Commission Position Statement: Wetlands (2001)

GIS Database:

- Geomorphic Wetlands, Augusta to Walpole - DoE 18/6/03
- Hydrography, Linear - DOE 1/2/04
- Hydrographic Catchments - Catchments - DOE 23/3/05
- CALM Managed Lands and Waters - CALM 1/07/05

(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

Advice was requested from the Department of Agriculture (2005) for the previous clearing proposal on Lots 12961 and 12033 Richardson Rd, Northcliffe and the following recommendations were made:

'Clearing of further vegetation could increase surface runoff, which would contribute to increased stream flows but is unlikely to cause extensive flooding due to the size of the catchment, landslopes and soil types. The risk of flooding causing land degradation is low.'

The Department concludes the proposal is unlikely to be at variance to this principle.

Methodology Department of Agriculture (2005)

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

Comments

A previous application has been lodged to clear native vegetation on Lots 12961 and 12033 Richardson Rd, Northcliffe. Of the 18 hectares applied to clear, 5.67ha was granted. In the previous application, the western corner of Lot 12961 and the eastern corner of Lot 12033 were identified as Environmentally Sensitive Areas containing wetlands that should be retained and protected for their high levels of biodiversity. Consequently, permission to clear the western corner of Lot 12961 and the eastern corner of Lot 12033 was not granted. The current application to clear 0.8ha of native vegetation also falls within the western corner of Lot 12961 Richardson Rd.

No ground or surface water licences exist for the property (RIWI Act 1914).

No Works Approvals exist for the property (EP Act 1986).

The property is zoned 'rural' under the Town Planning Scheme Zones.

With reference to the previous clearing application, one submission was received from the Shire of Manjimup, who raised no objections to the clearing, but requested the Department's assistance in incorporating the following as either a condition or advice into the approval.

"A vegetated buffer of at least 20m either side of any watercourse on the property should be retained."

Methodology GIS Database:

- Town Planning Scheme Zones - MFP 8/98
- WRL, Properties, Ground Water Licences - WRC (Current)
- WRL, Properties, Surface Water Licences - WRC (Current)
- Native Title Claims - DLI 07/11/05

4. Assessor's comments

Purpose	Method	Applied area (ha)/ trees	Comment
Fence Line Maintenance	Mechanical Removal	0.8	<p>The assessable criteria have been addressed and the proposal was found to be at variance to Principles (a) and (f); may be at variance to Principles (b), (h) and (i); is not likely to be at variance to Principles (c), (d), (g), and (j); and is not at variance to Principle (e).</p> <p>Assessment of the application found the proposed clearing is at variance to Principle (a), which states that native vegetation should not be cleared if it comprises a high level of biological diversity. The area under application, located within the western corner of Lot 12961 Richardson Rd, Northcliffe falls within an Environmentally Sensitive Area which has undergone a previous assessment for clearing approval that was unsuccessful. In addition to the assessment undertaken for this clearing application, the Department's Wetland Program (2005) found that the wetland area located at Lot 12961 is identified in the Walpole River Suite, of which wetlands are recognised for representativeness, their faunal values and hydrological and ecological linkages. The Site Report (2005) also demonstrated the high naturalness of the wetlands with a vegetation condition of Very Good to Excellent. The Department considers that these wetland areas possess the values of Conservation Category Wetlands. The EPA states in Environmental Offsets Preliminary Version 2 Position Statement No. 9 (EPA, 2002) that Conservation Category wetlands are recognised as 'critical assets', which represent the most important environmental assets in the State that must be fully protected and conserved.</p> <p>Assessment of the area under application found that the clearing proposal is at variance to Principle (f), which states that native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland. The area under application located in the western corner of Lot 12961 Richardson Rd, Northcliffe has been identified as containing wetlands that</p>

should be retained and protected for their high level of biodiversity, regional significance and representativeness. The Department's Wetland Program (2005) does not support the proposed clearing within these areas due to their significant values, as highlighted in the DEC Site Report (2005). CALM has also advised that clearing should not be permitted within riparian zones of the identified wetlands and streams. A previous clearing application for the western corner of Lot 12961 Richardson Rd, Northcliffe was unsuccessful.

5. References

- Clearing Assessment Unit's biodiversity advice for land clearing application. Advice to Director General, Department of Environment and Conservation (DEC), Western Australia. TRIM ref IN22551
- DAFWA Land degradation assessment report. Office of the Commissioner of Soil and Land Conservation, Department of Agriculture and Food Western Australia. DoE TRIM ref SWO26624.
- Department of Environment (2005) Wetlands Program Memo
- 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.
- EPA (2004) Guidance for the Assessment of Environmental Factors - terrestrial flora and vegetation surveys for Environmental Impact Assessment in Western Australia. Report by the EPA under the Environmental Protection Act 1986. No 51 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.
- Site Report (2005). Department of Environment (DoE), Western Australia. TRIM ref SWO27759
- Water and Rivers commission (2001). Water and Rivers Commission Position Statement: Wetlands. Water and Rivers Commission, Perth.

6. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
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 DEC)