



1. Application details

1.1. Permit application details

Permit application No.: 2276/1

Permit type: Area Permit

1.2. Proponent details

Proponent's name: Jasper and Colleen Grugeon

1.3. Property details

Property: LOT 735 ON PLAN 132960 (Lot No. 735 MILYEANNUP COAST SCOTT RIVER EAST 6275)

LOT 735 ON PLAN 132960 (Lot No. 735 MILYEANNUP COAST SCOTT RIVER EAST 6275)

Local Government Area: Shire Of Nannup

Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
20		Mechanical Removal	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
<p>Beard:</p> <p>- Unit 22 (Scott River): Low woodland; peppermint (<i>Agonis flexuosa</i>) (Hopkins et al., 2001; Shepherd, 2007).</p> <p>- Unit 1109 (Scott River): Shrublands; peppermint scrub, <i>Agonis flexuosa</i> (Hopkins et al., 2001; Shepherd, 2007).</p> <p>Mattiske:</p> <p>- D'Entrecasteaux (D5): Mosaic of low woodland of <i>Agonis flexuosa</i> and closed heath of <i>Olearia axillaris</i>-<i>Spyridium globulosum</i>-<i>Acacia littorea</i> on steep dunes on calcareous deep sands in the perhumid zone (Mattiske Consulting, 1998).</p> <p>- D'Entrecasteaux (D): Tall shrubland and woodland of <i>Agonis flexuosa</i>-<i>Acacia saligna</i> on flats between dunes in the perhumid zone. (Mattiske Consulting, 1998).</p>	<p>The proposal involves clearing approximately 20 hectares for the purpose of centre pivot irrigation.</p> <p>The vegetation is dominated by peppermint and is predominantly parkland cleared.</p>	<p>Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)</p>	<p>Description of the clearing application area is based on site inspection undertaken by DEC officers on 13 February 2008.</p>
<p>Beard:</p> <p>- Unit 22 (Scott River): Low woodland; peppermint (<i>Agonis flexuosa</i>) (Hopkins et al., 2001; Shepherd, 2007).</p>	<p>The vegetation is dominated by peppermint and has several small depressions which are considered to be in good condition (Keighery, 1994).</p>	<p>Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)</p>	<p>Description of the clearing application area is based on site inspection undertaken by DEC officers on 13 February 2008.</p>

- Unit 1109 (Scott River):
Shrublands; peppermint
scrub, *Agonis flexuosa*
(Hopkins et al., 2001;
Shepherd, 2007).

Mattiske:

- D'Entrecasteaux (D5):
Mosaic of low woodland of
Agonis flexuosa and
closed heath of *Olearia*
axillaris-*Spyridium*
globulosum-*Acacia littorea*
on steep dunes on
calcareous deep sands in
the perhumid zone
(Mattiske Consulting,
1998).

- D'Entrecasteaux (D): Tall
shrubland and woodland of
Agonis flexuosa-*Acacia*
saligna on flats between
dunes in the perhumid
zone. (Mattiske Consulting,
1998).

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

The proposal is for the clearing of approximately 20 hectares of native vegetation for the purpose of installing a centre pivot irrigation system. The area under application is predominantly parkland cleared (degraded; Keighery, 1994); however there are several small depressions that are considered to be in good (Keighery, 1994) condition (DEC, 2008).

The local area is approximately 50% vegetation (half of which is within DEC managed lands), within the local area there are multiple wetlands which form part of the Gingilup-Jasper Wetland System as well as the Gingilup Swamps Nature Reserve and Scott River. The area under application forms part of an ecological linkage which connects the swamp systems with the coast.

There are 11 records of fauna of conservation significance within the local area (10km radius) of which Quendas (P5) may occur and Western Ringtail Possums are likely to occur within the application area.

There are approximately 135 records of rare or priority flora within the local area none of which are likely to occur within the applied area.

As the area under application is predominantly in a degraded (Keighery, 1994) condition and taking into account that there are nearby areas in equal or better condition, the area under application is not considered to have a high biodiversity value (in a local context) and therefore the proposal is not likely to be at variance to this principle.

Methodology

References:

DEC (2008)
Keighery (1994);

GIS Databases:

CALM Managed Lands and Waters - CALM 01/06/05
Leeuwin 50cm ORTHOMOSAIC - DLI04
SAC Biodatasets - accessed 07 July 08
Clearing Regulations, Environmentally Sensitive Areas 30 May 2005
ANCA wetlands - Environment Australia 26/3/99
Geomorphic Wetlands (Augusta to Walpole) 18 June 2003
NLWRA, Current Extent of Native Vegetation 20 Jan 2001

(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

The local area is approximately 50% vegetated (approximately half of which is within DEC managed lands). A site visit of the applied area (DEC, 2008) observed that the vegetation under application was predominantly parkland cleared with some small depressions in good (Keighery, 1994) condition (DEC, 2008).

As there are nearby vegetated areas in equal or better condition, the vegetation under application is not likely to be significant habitat for fauna.

There are several records of threatened and priority fauna species within a 10 km radius of the proposed clearing of these the Quenda and Western Ringtail Possum may occur within the applied area

Given the condition of the vegetation under application compared to nearby vegetation remnants the applied area is not likely to be significant habitat for fauna indigenous to Western Australia.

Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology References:
DEC (2008)
Keighery (1994);

GIS Databases:
SAC Biodatasets - accessed 07 July 08
CALM Managed Lands and Waters - CALM 01/06/05
Leeuwin 50cm ORTHOMOSAIC - DLI04
Mattiske Vegetation (01/03/1998)
Pre European Vegetation - DA 01/01

(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 approximately 135 records of rare (5 species) and priority flora (28 species) occur within the local area (10km radius), of which only *Lambertia orbifolia* subsp. Scott River Plains (rare) occurs on the same soil and vegetation as the application area.

DEC (DEC Blackwood District, 2008) advises that species *Lambertia orbifolia* subsp. Scott River Plains is unlikely to occur within the area under application, given the absence of true wetlands, dense vegetation and the parkland cleared condition of the vegetation within the application area.

Given that no rare floras are likely to occur within the application area, the clearing as proposed is not likely to be at variance to this principle.

Methodology DEC, Blackwood District (2008);

GIS Databases:
SAC Biodatasets - accessed 07 July 08
CALM Managed Lands and Waters - CALM 01/06/05
Leeuwin 50cm ORTHOMOSAIC - DLI04
Mattiske Vegetation (01/03/1998)
Pre European Vegetation - DA 01/01
Soils, Statewide DA 11/99

(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

Within the local area (10km radius) there are approximately 39 known occurrences of the Scott River Ironstone Association ranging from 3.8km west to 10km north north west of the application area.

This community type, which is recognised as a Threatened Ecological Community (TEC) by the DEC (endangered status under WA criteria), comprises plant species that are adapted to and / or are tolerant of characteristics of ironstone substrate, including seasonal waterlogging (TEC Database).

The vegetation within the lower application area (Beard Vegetation Unit 1109; Shepherd, 2007) corresponds to that of the TEC, Scott Ironstone SCOTT02NTH, located approximately 3.8km west of the applied area. However, the soils within the application area are not consistent with any of the closer TECs.

Given the inconsistencies in vegetation and soil of the applied area with nearby TECs and the parkland cleared condition (DEC, 2008) of the lower portion of the applied area, the proposed clearing is not likely to be necessary for the maintenance of a significant ecological community.

Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology References:
DEC (2008)
Shepherd (2007)

GIS Databases:
SAC Biodatasets - accessed 07 July 08
Leeuwin 50cm ORTHOMOSAIC - DLI04
Mattiske Vegetation (01/03/1998)
Pre European Vegetation - DA 01/01
Soils, Statewide DA 11/99

(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				area
Pre-European (ha)	Current extent (ha)	Remaining %	reserves/DEC-	% in managed land	
IBRA Region:					
- Warren	835,925	675,836	80.85*	82.37	
Local Government Authority:					
- Shire of Nannup	293,322	249,185	84.95*	90.13	
Vegetation type:					
Beard:					
- Unit 22 (Scott River)	4,032	3,036	75.30*	44.01	
- Unit 1109 (Shrublands)	34,325	32,341	94.22*	74.56	
Mattiske:					
- D'Entrecasteaux (D5)	28,373	23,386	82.4**	N/A	
- D'Entrecasteaux (D)	5,623	2,330	41.1**	N/A	

* (Shepherd, 2007; Hopkins et al., 2001)

** (Mattiske Consulting, 1998)

Public Submission (2008) raised concerns that the proposed clearing included vegetation classed as rare or poorly reserved vegetation complexes of the Scott Coastal Plain as identified in the Augusta Walpole Coastal Strategy (Draft) (2007). This information was not able to be verified as a threshold level was not provided within this report for the determination of vegetation to be placed under this category however according to the EPA (2000) a threshold level of 30% vegetation extent should be maintained; all of the vegetation types identified as occurring within the application area meet this standard.

Based on the remaining vegetation in the local area (approximately 50% in 10 kilometre radius) and the current extents of the same vegetation as the applied area, the proposed clearing is not considered to be a significant remnant of vegetation within an extensively cleared landscape, and is therefore not likely to be at variance to this principle.

Methodology EPA (2000)
Hopkins et al. (2001)
Shepherd (2007);
Mattiske Consulting (1998);

GIS databases:
Interim Biogeographic Regionalisation of Australia - EA 18/10/00
SAC Biodatasets - accessed 07 July 08
Leeuwin 50cm ORTHOMOSAIC - DLI04
Mattiske Vegetation (01/03/1998)

(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

There are multiple wetlands within the local area (10km radius), however the applied area does not occur within the recommended vegetation buffers of any of these wetlands.

DEC (DEC Blackwood District, 2008) advises that the area under application does not include true wetlands, therefore the vegetation under application is not likely to be growing in association with any wetland.

A minor perennial watercourse is mapped within the southern portion of the application area however aerial mapping shows the vegetation surrounding this watercourse to be degraded (parkland cleared) thus clearing of the application area is not likely to impact further on this watercourse.

Given that a watercourse occurs within the area under application the clearing as proposed is at variance to this principle, however as the watercourse is degraded clearing of the vegetation associated with this watercourse is not likely to have a significant impact.

Methodology References:

DEC Blackwood District (2008)

GIS Databases:

Hydrography linear - DOW 13/7/06

Hydrography linear (hierarchy) - DoW 13/7/06

Geomorphic Wetlands (Augusta to Walpole) 18 June 2003

Leeuwin 50cm ORTHOMOSAIC - DLI04

ANCA wetlands - Environment Australia 26/3/99

(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

The area under application is located in a high rainfall area (>1000 mm/yr) on deep sandy soils; these soil types are well drained and are not prone to salinity, water erosion, eutrophication, water logging, flooding or acidification (DAFWA, 2008); therefore the proposed clearing is not likely to cause appreciable land degradation and therefore is not likely to be at variance to this Principle.

Methodology DAFWA (2008);

GIS Databases:

Salinity Risk LM25m - DOLA 00;

Hydrography linear - DOW 13/7/06

Hydrography linear (hierarchy) - DoW 13/7/06

Groundwater Salinity Statewide DoW 13/07/06

(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

The closest DEC managed land is the Gingilup swamps Nature Reserve (approximately 380m N).

In addition, the applied area is in close proximity to multiple wetlands and forms part of an ecological linkage between the Scott River and the coast.

A site visit of the applied area (DEC, 2008) observed that the applied area was predominantly parkland cleared with some small depressions in good (Keighery, 1994) condition.

Given the distance between the applied area and nearby areas of conservation significance and taking into account the degraded (Keighery, 1994) condition of most of the applied area, the clearing as proposed is not likely to impact on an area of conservation significance.

Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology DEC (2008)

Keighery (1994)

GIS Databases:

Register of National Estate - Environment Australia, Australian and world heritage division 12 Mar 02
CALM Managed Lands and Waters - CALM 01/06/05
Leeuwin 50cm ORTHOMOSAIC - DLI04
Hydrography linear - DOW 13/7/06
Hydrography linear (hierarchy) - DoW 13/7/06
ANCA wetlands - Environment Australia 26/3/99
Geomorphic Wellands (Augusta to Walpole) 18 June 2003

(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

There is one mapped minor perennial watercourse within the southern portion of the area under application, however aerial mapping shows this area to be degraded (Keighery, 1994). Observations from a site visit of the area (DEC, 2008) also supported that most of the vegetation under application was parkland cleared with the exception of some small depressions which were in good (Keighery, 1994) condition.

Clearing of the watercourse within the applied area is not likely to significantly impact on the quality of surface or groundwater due to the current condition of the vegetation.

Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology References:

References:
DEC (2008)
Keighery (1994)

GIS Databases:

Evapotranspiration Isopleths - WRC 29/09/98
Groundwater Salinity Statewide DoW 13/07/06
Hydrographic catchments, catchments - DoW 01/06/07
Hydrographic catchments, subcatchments - DoW 01/06/07
Hydrography, linear - DOW 13/7/06
Mean Annual Rainfall Isohytes (1975 - 2003) - DEC 02/08/05
Salinity Risk LM 25m - DOLA 00
Topographic Contours, Statewide - DOLA 12/09/02
Leeuwin 50cm ORTHOMOSAIC - DLI04

(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

Given the soil type and condition of the vegetation under application, the proposed clearing is unlikely to cause or exacerbate the incidence or intensity of flooding and is therefore not likely to be at variance to this clearing principle.

Methodology GIS Databases:

Evapotranspiration Isopleths - WRC 29/09/98
Groundwater Salinity Statewide DoW 13/07/06
Hydrographic catchments, catchments - DoW 01/06/07
Hydrographic catchments, subcatchments - DoW 01/06/07
Hydrography, linear - DOW 13/7/06
Mean Annual Rainfall Isohytes (1975 - 2003) - DEC 02/08/05
Salinity Risk LM 25m - DOLA 00
Topographic Contours, Statewide - DOLA 12/09/02
Leeuwin 50cm ORTHOMOSAIC - DLI04

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

Comments

The applied area is within the Scott Coastal Plain Strategy area, therefore the Scott Coastal Plain Steering Committee's 'Strategy for a Sustainable Future' (SCPSC, 2001) should be used as a guideline. The final version of this document was not endorsed by Department of Planning and Infrastructure (DEC, 2008)

Public submission (2008) objects to the proposal, and outlines issues regarding clearing a poorly reserved vegetation community (Principle e); and references the objectives of the Scott Coastal Plain Steering Committee's 'Strategy for a Sustainable Future'. All issues raised in this submission have been addressed in the

relevant clearing principles. DOC47052

The applicant has supplied further information including a current Water Licence for the area (only valid until 30 June 2008) and advice detailing that they intend to apply for renewal of this licence. The proponent has also indicated in writing that they are prepared to set aside an area of about 200ha for Land for Wildlife to mitigate loss of vegetation on the property. (trim ref DOC55724)

The Department of Water advised that they have received the application for renewal of the applicants water licence and under legislation the applicant may continue to take water under the old licence until such time as the renewal application is assessed. (Trim Ref DOC57230)

Methodology References:
DEC (2008)
SCPSC (2001);
EPA (2000);
Public submission (2008)

4. Assessor's comments

Comment

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, and the proposed clearing is at variance to principle (f) and is not likely to be at variance to principle (a), (b), (c), (d), (e), (g), (i) and (j).

5. References

- DAFWA (2008) Advice to Assessing Officer, Land Degradation Assessment Report, prepared by Department of Agriculture and Food Western Australia for Department of Environment and Conservation, unpublished, Trim Ref DOC46559
- Department of Environment and Conservation (DEC) (2007). Site Inspection Report, DEC Bunbury, Western Australia. TRIM Ref: DOC47522.
- Department of Environment and Conservation (DEC), Blackwood District (2008). TRIM Ref: DOC48578.
- Environmental Protection Authority (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.
- Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Mattiske, E.M. and Havel, J.J. (1998) Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment Australia.
- Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68): 'Atlas of Australian Soils, Sheets 1 to 10, with explanatory data'. CSIRO and Melbourne University Press: Melbourne.
- Public Submission (2007). TRIM Ref: DOC47052.
- Scott Coastal Plain Steering Committee (SCPSC) (2001). Scott Coastal Plain: A Strategy for a Sustainable Future, AgWA Bulletin 4381, Perth, Western Australia.
- Shepherd, D.P. (2007). Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth. Includes subsequent updates for 2006 from Vegetation Extent dataset ANZWA1050000124.
- 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
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