



1. Application details

1.1. Permit application details

Permit application No.: 2328/1

Permit type: Area Permit

1.2. Proponent details

Proponent's name: Harvey Edward Giblett

1.3. Property details

Property: LOT 13143 ON PLAN 181722 (MIDDLESEX 6258)

Local Government Area: Shire Of Manjimup

Colloquial name:

1.4. Application

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

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:	The application area consists of previously cleared vegetation with pockets of recolonising species and parkland cleared trees.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	Vegetation condition established through Site Photos (2008) and aerial mapping.
Vegetation Association 3: Medium forest; jarrah-marri			
Vegetation Association 1144: Tall forest; karri & marri (Corymbia calophylla)	A minor perennial watercourse runs south west to north east through the application area, thus the proposed clearing includes riparian vegetation.		
Mattiske:			
Vegetation Complex Crowea (CRb): Tall open forest of Corymbia calophylla-Eucalyptus diversicolor on upper slopes with Allocasuarina decussata-Banksia grandis on upper slopes in hyperhumid and perhumid zones.			
Vegetation Complex Pemberton (PM1): Tall open forest of Eucalyptus diversicolor with mixtures of Corymbia calophylla on valley slopes and low forest of Agonis juniperina-Banksia seminuda-Callistachys lanceolata on valley floors in the perhumid zone.			

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 1 hectare of native vegetation for the purpose of horticulture.

The vegetation within the area under application is in degraded condition (Keighery 1994; Site Photos, 2008).

The application area consists of previously cleared vegetation with pockets of recolonising species and parkland cleared trees.

The application area includes riparian vegetation as a minor perennial watercourse runs south west to north east through the area.

The holding, of which the application area is a part, is approximately 7.5% vegetated. (DoW Advice, 2008)

Given the above information the application area is not likely compromise a high level biological diversity within the local area (10km radius) and therefore is not likely to be at variance to this principle.

Methodology Keighery (1994)
DoW Advice (2008)
Site Photos (2008)

GIS database:
- Hydrography linear - DOW 13/7/06
- Hydrography linear (hierarchy) - DoW 13/7/06

(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 vegetation within the area under application is in degraded condition (Keighery 1994; Site Photos, 2008).

The application area consists of previously cleared vegetation with pockets of recolonising species and parkland cleared trees.

The vegetation may be providing some form of habitat to native fauna however given the high level of disturbance through the property; the larger remnants within the local area (10km radius) are more likely to be favoured by local fauna species.

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

Methodology Keighery (1994)
DoW Advice (2008)
Site Photos (2008)

GIS database:
- CALM Managed Lands and Waters CALM 01/08/04
- Mattiske 1998
- SAC Biodatasets - accessed 04 June 08

(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**

The vegetation within the area under application is in degraded condition (Keighery 1994; Site Photos, 2008).

The application area consists of previously cleared vegetation with pockets of recolonising species and parkland cleared trees.

There are no known records of rare flora or priority flora species within the local area; therefore it is not likely that the proposed clearing is at variance to this principle.

Methodology Keighery (1994)
DoW Advice (2008)
Site Photos (2008)

GIS database:

(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**
 There are no records of Threatened Ecological Communities (TEC) in the local area (10 km radius).
 The clearing as proposed is therefore not likely to be at variance to this principle.

Methodology GIS database:
 - SAC Biodatasets - accessed 04 June 08

(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**
 The proposal is for the clearing of 1 hectare of native vegetation for the purpose of horticulture.
 The vegetation within the area under application is in degraded condition (Keighery 1994; Site Photos, 2008).
 The application area consists of previously cleared vegetation with pockets of recolonising species and parkland cleared trees.
 The holding, of which the application area is a part, is approximately 7.5% vegetated. (DoW Advice, 2008) The local area has retained approximately 40% native vegetation cover.
 The application is located in the Warren Bioregion in the Shire of Manjimup. The extent of native vegetation in these areas is 86.6% and 83.9% respectively (Shepherd et al. 2001; Hopkins et al., 2001).
 The vegetation in the area under application is a component of Beard Unit 1144 (Hopkins et al. 2001) of which there is 69.7% (Shepherd et al. 2001) of the pre-European extent remaining.
 One section of the vegetation under application has also been mapped as a component of Mattiske Pemberton (PM1) (Havel 2002) of which there is 65.6% of the pre-European extent remaining.
 The remaining portion of vegetation under application is a component of Mattiske Crowea (CRb) (Havel 2002) of which there is 81.2% of the pre-European extent remaining.
 This proposal is not likely be at variance to this principle as the vegetation under application is well represented and the local area has not been extensively cleared.

Methodology DoW Advice (2008)
 Havel (2002)
 Hopkins et al. (2001)
 Keighery (1994)
 Shepherd et al. (2001)
 Site Photos (2008)
 GIS database:
 - Mattiske Vegetation - CALM 24/3/98
 - Interim Biogeographic Regionalisation of Australia - EM 18/10/00
 - Local Government Authorities - DLI 8/07/04
 - Pre European Vegetation - DA 01/01

(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 vegetation within the area under application is in degraded condition (Keighery 1994; Site Photos, 2008).
 The application area consists of previously cleared vegetation with pockets of recolonising species and parkland cleared trees.
 The application area includes vegetation in association with a minor perennial watercourse which runs south west to north east through the area.
 The area under application lies within Zone C of the Warren River Water Reserve gazetted under the County

Areas Water Supply Act 1987 (CAWS Act). Water and Rivers Commission's Policy indicates that a 30m buffer is required on First, Second and Third Order streams, seepage areas and small swamps (WRC Policy, 1996) in order to protect surface water quality and riparian vegetation in catchments subject to clearing control legislation. Some of the vegetation proposed for clearing is within 30m of the existing stream on the property.

The holding, of which the application area is a part, is approximately 7.5% vegetated. (DoW Advice, 2008)

The area under application includes vegetation growing in association with a watercourse therefore the proposed clearing is at variance to this principle.

As the vegetation under application is not sustainable unless intensively managed, Department of Water consider that an exception would be made to allow this clearing to occur providing two times the area is revegetated. (DoW, 2008) In addition, the applicant has confirmed that he will not be altering the banks of the watercourse (will just clear vegetation) therefore conditions of unauthorised activities will be placed on the permit to prevent alteration of the structure of the watercourse.

Methodology Keighery (1994)
DoW (2008)
DoW Advice (2008)
Site Photos (2008)
WRC Policy (1996)

GIS database:
- Hydrography linear - DOW 13/7/06
- Hydrography linear (hierarchy) - DoW 13/7/06

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Comments Proposal is at variance to this Principle

The vegetation within the area under application is in degraded condition (Keighery 1994; Site Photos, 2008).

The area under application lies within Zone C of the Warren River Water Reserve gazetted under the County Areas Water Supply Act 1947 (CAWS Act). The CAWS Act controls land clearing within the Warren River Water Reserve in order to protect drinking water quality and was developed in response to increased dryland salinity and increasing concentrations of salts in drinking water within the catchment.

The CAWS Act requires that 10 per cent of vegetation must remain on the holding in question to prevent salinisation of surface and/or groundwater. The CAWS Act recommends that any application to clear below this threshold be refused unless clearing is for exceptional reasons.

The holding, of which the application area is a part, is approximately 7.5% vegetated. (DoW Advice, 2008) Department of Water advises that the degraded (Keighery, 1994) condition of the vegetation under application warrants an exceptional reason and therefore recommends that revegetation of an area on the holding be conducted at a ratio of 2 to 1 as an offset to clearing. (DoW, 2008)

As the application area falls within CAWS Act Zone C, may cause increase the salinity in the surface and/or groundwater and given that the application area approximately 7.5% vegetated the proposed clearing is at variance to this principle.

As the vegetation under application is not sustainable unless intensively managed it is considered that an exception would be made to allow this clearing to occur providing two times the area is revegetated. This will be a condition on the permit, if granted, to mitigate any impacts on salinity.

Methodology Keighery (1994)
DoW (2008)
DoW Advice (2008)
Site Photos (2008)
WRC Policy (1996)

GIS database:
- Hydrography linear - DOW 13/7/06
- Hydrography linear (hierarchy) - DoW 13/7/06

(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 vegetation within the area under application is in degraded condition (Keighery 1994; Site Photos, 2008).

The application area consists of previously cleared vegetation with pockets of recolonising species and parkland cleared trees.

There are five CALM Managed Lands within a 10km radius of the proposed clearing. The closest being an unnamed Reserve located 900m south west of the property under application. None of these reserves are linked by vegetation to the area under application.

Therefore it is not likely that the proposed clearing would impact on the environmental values of adjacent or nearby conservation areas and the clearing as proposed is therefore not likely to be at variance to this principle.

Methodology DoW (2008)
Keighery (1994)
Site Photos (2008)

GIS database:

- CALM Managed Lands and Waters - CALM 01/06/05
- Hydrography, linear - DOW 13/7/06
- Register of National Estate - Environment Australia, Australian and world heritage division 12 Mar 02
- System 1 to 5 and 7 to 12 areas DEC 11/7/06

(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 at variance to this Principle

The vegetation within the area under application is in degraded condition (Keighery 1994; Site Photos, 2008).

The area under application lies within Zone C of the Warren River Water Reserve gazetted under the County Areas Water Supply Act 1947 (CAWS Act). The CAWS Act controls land clearing within the Warren River Water Reserve in order to protect drinking water quality and was developed in response to increased dryland salinity and increasing concentrations of salts in drinking water within the catchment.

The CAWS Act requires that 10 per cent of vegetation must remain on the holding in question to prevent salinisation of surface and/or groundwater. The CAWS Act recommends that any application to clear below this threshold be refused unless clearing is for exceptional reasons.

The holding, of which the application area is a part, is approximately 7.5% vegetated. (DoW Advice, 2008) Department of Water advises that the degraded (Keighery, 1994) condition of the vegetation under application warrants an exceptional reason and therefore recommends that revegetation of an area on the holding be conducted at a ratio of 2 to 1 as an offset to clearing. (DoW, 2008)

As the application area falls within CAWS Act Zone C, may cause increase the salinity in the surface and/or groundwater and given that the application area approximately 7.5% vegetated the proposed clearing is at variance to this principle.

As the vegetation under application is not sustainable unless intensively managed it is considered that an exception would be made to allow this clearing to occur providing two times the area is revegetated. This will be a condition on the permit to mitigate any impacts on salinity.

Methodology DoW (2008)
Keighery (1994)
Site Photos (2008)
WRC Policy (1996)

GIS database:

- Hydrographic Catchments, Catchments - DoE 3/4/03
- Public Drinking Water Source Areas (PDWSAs) - DOE 29/11/04

(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 that the application area is small the proposed clearing is not likely to cause or exacerbate the incidence or intensity of flooding.

Methodology GIS database:
- Hydrographic Catchments, Catchments - DoE 3/4/03
- Topographic Contours, Statewide - DOLA 12/09/02

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

Comments

The area proposed to clear is zoned rural.

The area under application is within a Rights In Water Irrigation (RIWI) proclaimed Surface Water Area, being the Warren Water Reserve. An application to interfere with bed and banks from the Department of Water is not required for the proposed activities (Trim Ref DOC58853)

The applicant currently holds a Surface Water Licence (SWL) with an allocation of 450,000 kL/a for horticultural purposes. The Department of Water advise that this is sufficient to cover the expansion of horticultural activities on the property. (Trim Ref DOC 58908)

The area under application lies within Zone C of the Warren River Water Reserve gazetted under the County Areas Water Supply Act 1947 (CAWS Act). The CAWS Act indicates that if a clearing proposal will result in less than ten per cent of vegetation to remain on the land in question. (DoW Advice, 2008) Assessment under the CAWS Act would result in the refusal of the proposed clearing unless clearing with exceptional reason. Department of Water advises that the degraded (Keighery, 1994) condition of the vegetation under application warrants exceptional reason to clear the vegetation and recommends an offset of revegetation at a ratio of 2 to 1 within the same holding. (DoW, 2008)

DoW advise that replanting of Karri should be at a density of 600 trees/ha within the areas cross hatched red and green in Trim Ref DOC58976.

Methodology

DoW (2008)
DoW Advice (2008)
Keighery (1994)
WRC Policy (1996)

GIS database:

- RIWI Act, Surface Water Areas - DoW 13/07/06
- Hydrographic Catchments, Catchments - DoE 3/4/03
- Topographic Contours, Statewide - DOLA 12/09/02

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 with principle (f), (g) and (i) and is not likely to be at variance with the remaining clearing principles.

5. References

- Department of Environment and Conservation, 2006, DEC Site Report, Department of Environment and Conservation, Western Australia SWO28765
- DoW (2008) Department of Water, Advice to assessing officer, Department of Environment and Conservation Trim Ref DOC56682
- DoW Advice (2008) Department of Water, Advice to assessing officer, Department of Environment and Conservation Trim Ref DOC54658
- Havel, J.J. and Mattiske Consulting Pty Ltd (2002) Review of management options for poorly represented vegetation complexes, Conservation Commission.
- 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 Consulting (1998) Mapping of vegetation complexes in the South West forest region of Western Australia, CALM.
- 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.
- Shepherd, D.P. (2006). 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.
- Site Photos (2008) Site Inspection Photos taken 9 July 2008 by Department of Environment and Conservation Trim Ref DOC58798.
- Water and Rivers Commission (WRC) (1996). Policy and Guidelines: Granting of Licences to Clear Indigenous Vegetation in Catchments Subject to Clearing Control Legislation, Regional Services.
- WRC (1996) Policy and Guidelines: Granting of Licences to Clear Indigenous Vegetation in Catchments Subject to Clearing Control Legislation. Water and Rivers Commission, 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
DolR	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)

