GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose permit number:	3075 / 1
Permit holder:	Egidio Giuseppe Della Franca
Duration of permit:	7 June 2009 – 7 June 2017

The permit holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I –CLEARING AUTHORISED

1. **Purpose for which clearing may be done**
   Clearing for the purpose of silviculture.

2. **Land on which clearing is to be done**
   LOT 470 ON PLAN 229248 (COLLINS 6260)
   LOT 5071 ON PLAN 229248 (COLLINS 6260)

3. **Area of Clearing**
   The permit holder must not clear more than 9.8 hectares of native vegetation within the area hatched yellow on attached Plan 3075/1.

4. **Application**
   This Permit allows the permit holder to authorise persons, including employees, contractors and agents of the permit holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

5. **Compliance with Assessment Sequence and Management Procedures**
   Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the permit holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

6. **Type of clearing authorised**
   (a) The Permit Holder may undertake the following activities:
      (i) clearing of *understorey* within the areas cross-hatched yellow on Plan 3075/1;
      (ii) *thinning* of karri (*Eucalyptus Diversicolor*) trees;
      (iii) *culling* of unsaleable trees; and
      (iv) burning of cleared *understorey* and *culled* trees.

   (b) Clearing authorised under this Permit must be completed by 7 June 2013, being four years from the date from which this Permit becomes valid.

7. **Avoid, minimise etc clearing**
   In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:
   (a) avoid the clearing of native vegetation;
   (b) minimise the amount of native vegetation to be cleared; and
   (c) reduce the impact of clearing on any environmental value.

8. Dieback and weed control

When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds* and *dieback*:

(a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
(b) shall not move soils in wet conditions;
(c) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
(d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

9. Vegetation management

(a) Prior to undertaking any clearing authorised under this Permit, an *environmental specialist* must determine the species composition, structure and density of the understorey of areas proposed to be *thinned*.

(b) The Permit Holder must retain a minimum of 2 *habitat trees* within the area of clearing authorised under this Permit in each hectare authorised under this Permit.

(c) A minimum retention rate of $21m^2$/ha *basal area* is required within the area of clearing authorised under this Permit.

(d) Prior to undertaking any clearing authorised under this Permit, the Permit Holder must exclude all *stock* from the areas subject to *thinning* activities.

(e) Within two years of completing clearing of native vegetation authorised under this Permit, the Permit Holder must:
  (i) determine the species composition, structure and density of the *understorey* of areas subject to *thinning*; and
  (ii) where, in the opinion of an *environmental specialist*, there is evidence that *understorey* will not recover and develop towards its pre-clearing composition, structure and density determined under condition 9(e)(i), the Permit Holder must undertake *remedial action* at an *optimal time* within the next 12 months to ensure re-establishment of *understorey* prior to expiry of this Permit.

10. Vegetation management – watercourse

The Permit Holder shall not clear native vegetation within 30 metres of the *riparian vegetation* of any *watercourse* within the area cross-hatched yellow on Plan 3075/1.

PART III - RECORD KEEPING AND REPORTING

11. Records must be kept

(a) In relation to the clearing of native vegetation undertaken pursuant to this Permit:
  (i) the species composition, structure and density of the cleared area;
  (ii) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
  (iii) the date that the area was cleared; and
  (iv) the size of the area cleared (in hectares).

(b) In relation to vegetation management pursuant to condition 9 of this Permit:
  (i) prior to clearing native vegetation authorised under this Permit, the species composition, structure and density of *understorey*;
  (ii) the species and number per hectare of *habitat trees* retained;
  (iii) the location of *habitat trees* retained, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
  (iv) monitoring undertaken to ensure that the specified minimum *basal area* is retained;
  (v) photographs of the *understorey* taken at one year, two years and three years after completing clearing authorised under this Permit; and
  (vi) a detailed description of the nature and extent of any *remedial actions* undertaken..

12. Reporting

(a) The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of records required under condition 11 of this Permit and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.

(b) Prior to 7 March 2017, the Permit Holder must provide to the CEO a written report of records required under condition 11 of this Permit where these records have not already been provided under condition 12(a) of this Permit.

Definitions

The following meanings are given to terms used in this Permit:

basal area is the method of expression of tree cover density in an area where the total area of tree trunk, measured at average adult human breast height, is expressed as square metres per hectares of land area;

dieback means the effect of Phytophthora species on native vegetation;

culled/ing means the selective removal and/or killing of unsaleable trees for *thinning*, using methods including notching, felling or machine pushing;

environmental specialist means a person who is engaged by the Permit Holder for the purpose of providing environmental advice, who holds a tertiary qualification in environmental science or equivalent, and has experience relevant to the type of environmental advice that an environmental specialist is required to provide under this Permit;

fauna clearing person means a person who has obtained a licence from the Department, issued pursuant to the *Wildlife Conservation Regulations 1970* authorising them to take fauna;

fauna specialist means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna;

fill means material used to increase the ground level, or fill a hollow

habitat tree(s) means trees that have a diameter, at average adult human chest height, of greater than 70cm, healthy but with dead limbs and broken crowns that are likely to contain hollows and roosts suitable for native fauna, or where these are not present then healthy but with the potential to contain hollows and roosts;

log landing/s means an area established for the purpose of stockpiling commercially harvested trees, to enable loading for collection;

mulch means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation;

optimal time means the period from April to May for undertaking *direct seeding*, and the period from May to June for undertaking *planting*;

thinned/ing describes a silvicultural activity to promote the growth of selected trees by removing competing trees;

remedial action/s means for the purpose of this Permit, any activity that is required to ensure successful re-establishment of *understorey* to its pre-clearing composition, structure and density, and may include a combination of soil treatments and *revegetation*.

riparian vegetation has the meaning given to it in Regulation 3 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004;

stock means the horses, cattle, sheep, pigs and other non-indigenous grazing animals kept or bred on a property;

watercourse has the meaning given to it in section 3 of the *Rights in Water and Irrigation Act 1914*;

weed means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the Agricultural and Related Resources Protection Act 1976.

wetland/s means an area of seasonally, intermittently or permanently waterlogged or inundated land, whether natural or otherwise, and includes a lake, swamp, marsh, spring, dampland, tidal flat or estuary

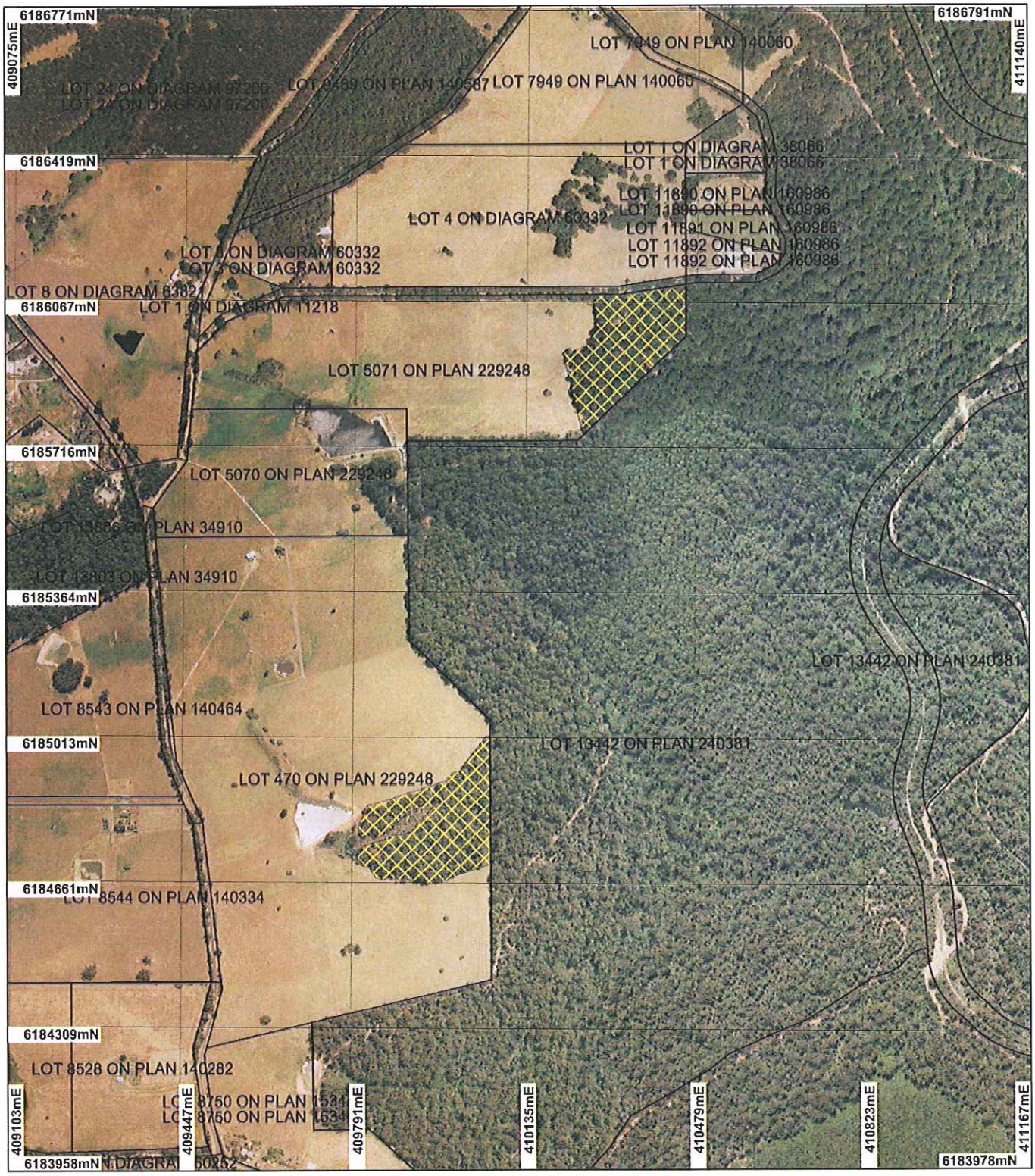
understorey means, for the purpose of this Permit, all native vegetation that does not include trees to be *culled* or subject to harvest

Keith Claymore
A/ ASSISTANT DIRECTOR
NATURE CONSERVATION DIVISION

Officer delegated under Section 20
of the Environmental Protection Act 1986

7 May 2009

Plan 3075/1



LEGEND

Clearing Instruments

- Areas Approved to Clear

Cadastre

Manjimup 50cm Orthomosaic - Landgate 2004

N

0 ~300 m

Scale 1:12318
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

K Claymore ..... Date 7/5/09

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

Information derived from this map should be confirmed with the data custodian acknowleged by the agency acronym in the legend.

Department of Environment and Conservation

** Project Data is denoted by asterisk. This data has not been quality assured. Please contact map author for details.*

Department of Environment and Conservation

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 3075/1

Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: **Egidio Giuseppe Della Franca**

1.3. Property details

Property: LOT 470 ON PLAN 229248 (COLLINS 6260)
LOT 5071 ON PLAN 229248 (COLLINS 6260)

Local Government Area: Shire Of Manjimup

Colloquial name:

1.4. Application

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

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
The vegetation is comprised of 2 mattiske vegetation complexes and 1 Beard vegetation association: Mattiske - CROWEA (CRb) : Tall open forest of Corymbia calophylla (Marri) - Eucalyptus diversicolor (Karri) on upper slopes with Allocasuarina decussata (Karri Sheoak) - Banksia grandis (Bull Banksia) on upper slopes in hyperhumid and perhumid zones. LEFROY (LF) : Tall open forest of Eucalyptus diversicolor (Karri) - Corymbia calophylla (Marri) on slopes and low woodland of Taxandria juniperina (Wattie) - Callistachys lanceolata (Wonnich) on lower slopes in hyperhumid and perhumid zones. Beard 1144 - Tall forest; karri & marri (Corymbia calophylla)	There are two separate sites under application, one in the north of the property, the other in the southern section of the property. The vegetation within the southern section is considered to be in an excellent (Keighery, 1994) condition, while the northern area is considered to be in a very good (Keighery, 1994) condition (DEC, 2009). The karri forest that occurs within the applied areas consists of high quality regrowth on previously cleared land that was utilised for agricultural practices. The vegetation has remained uncleared and is comprised mostly of Eucalyptus Diversicolor with some Corymbia calophylla regrowth. There are very few veteran trees remaining (Bradshaw, 2008). The middle storey is comprised of Acacia pentadenia, Hovea elliptica, Trymalium floribundum, Pteridium umbrosa and Agonis flexuosa. ground cover consists of Leucopogon verticillatus, Boronia gracilipes, Hovea elliptica, Patersonia umbrosa & Clematis pubescens (DEC, 2009). The northern area has	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	The condition and description of the vegetation under application was determined via the use of aerial imagery, a DEC conducted site inspection and photos supplied by the proponent.

been subjected to grazing activities, while the northern area has been fenced off (DEC, 2009).

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

There are two separate sites under application, one in the north of the property, the other in the southern section of the property. The vegetation within these areas is considered to be in a very good to excellent (Keighery, 1994) condition. There is pasture and weed invasion in parts of the northern section and along the northern edge of the southern section of vegetation under application. Blackberry infestations occur at all creek areas (Bradshaw, 2008).The combined area of these sites is 9.8 hectares and the purpose of the proposed clearing is for silviculture.

The applied areas are surrounded by conservation areas and adjoin the Gloucester National Park. Thinning activities are to be managed to have a minimal impact on the applied areas, with the retention of habitat trees and retention of a minimum basal area to be implemented (Bradshaw, 2008). As weeds have already invaded the applied areas, and given the high rainfall of the area, weed control and dieback conditions will be imposed on a permit.

The vegetation under application has not been managed since it regrew in the 1930's. A thinning operation is likely to enhance the forest structure by stimulating regeneration of scrub species (DEC, 2009).

Given that the areas proposed to be thinned have been subjected to previous agricultural disturbances, and due to the amount of surrounding vegetation that is in a equal or better condition to that of the application areas, it is considered unlikely that the proposed clearing is at variance to this principle.

Methodology

Bradshaw (2008)
DEC (2009)
Keighery (1994)
GIS DataSets:
- CALM Managed Lands and Waters - CALM 01/06/05
- Clearing Regulations, Environmentally Sensitive Areas 30 May 2005
- Mattiske Vegetation (01/03/1998)
- SAC Biodatasets - accessed 23 April 09
- Soils, Statewide DA 11/99

(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

Within the local area (10km radius) there are several fauna species that may be able to utilise the application area as habitat. Setonix brachyurus (Quokka) was recorded 4.4km south west of the application area, Austromerope poultoni (scorpionfly) recorded 6.5km south and Morelia spilota imbricate (Carpet python) was recorded 9.4km south west of the application area. Other tree dwelling fauna may also be able to utilise the large karri trees as habitat, however due to the adjacent conservation areas and given that the proposed clearing is for the thinning of selected tree species, the impacts on fauna species within the local area will be minimal. To reduce the impact of clearing activities, habitat trees will be retained as per management plan.

Methodology

GIS DataSets:
- CALM Managed Lands and Waters - CALM 01/06/05
- Mattiske Vegetation (01/03/1998)
- SAC Biodatasets - accessed 11 Feb 08
- Hydrography linear - DOW 13/7/06
- Hydrography linear (hierarchy) - DoW 13/7/06

(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 areas applied to be cleared are considered to be in a very good to excellent (Keighery, 1994) condition and both adjoin the Gloucester National Park. Clearing will impact on understorey species as the understorey is to be flattened by scrub rolling to give access for tree marking, movement of harvesting, snigging machinery and will also be impacted by falling trees (Bradshaw, 2008). There is only one recorded rare flora species located within the local area (10km radius). Caladenia christineae was recorded 6.3km north east of the application area. Due to the amount of surrounding vegetation in the form of DEC managed lands, the vegetation under application is unlikely to be necessary for the continued existence of rare flora.

Methodology Bradshaw (2008)
Keighery (1994)
GIS DataSets:
- CALM Managed Lands and Waters - CALM 01/06/05
- SAC Biodatasets - accessed 23 April 09

(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 known Threatened Ecological Communities (TECs) within the application areas or local area (10km radius).

The proposed clearing is unlikely to be at variance to this principle.

Methodology GIS DataSets:
- SAC Biodatasets - accessed 23 April 09

(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**
The vegetation types present within the application area are all well above the recommended 30% retention threshold for pre-European levels of vegetation (Commonwealth, 2001). Within the Bioregion 80.85 % of pre-European vegetation remains and in the local Shire, 85.40% remains.

The Beard vegetation association 1144 which is mapped as occurring within the application area has 85.40 % of pre-European levels remaining in the Shire and 82.15% remaining within the Bioregion. Both the Mattiske complexes (LF & CRb) have remaining percentages over 80% (Shepherd et al. 2007; Mattiske, 1998). Further to this, the application areas are adjacent to a conservation area, within close proximity to a State forest and the local area (10km radius) is approximately 70% vegetated. The proposed thinning area is not considered to be a remnant in a cleared area, nor will it impact on any of the vegetation types present within the application area.

Methodology Commonwealth (2001)
Mattiske (1998)
Shepherd et al (2007)
GIS DataSets:
- Manjimup 50cm Orthomosaic - 9/10/07
- SAC Biodatasets - accessed 23 April 09

(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 may be at variance to this Principle**
The northern section of vegetation under application has a minor non-perennial watercourse that dissects the area centrally from east to west (DEC, 2009). The Lefroy River is located 400m to the east. The southern section of vegetation also has a minor non-perennial watercourse that runs along the southern border of the applied area (DEC, 2009). It is recommended that riparian vegetation be excluded from any area authorised for clearing (CAWS, 2009) A dam is located on the western side of this section of vegetation under application. A vegetated buffer of 30 metres will be imposed on the permit in order to maintain the integrity of these watercourses.

Methodology DEC (2009)
CAWS (2009)
GIS DataSets:
- Manjimup 50cm Orthomosaic - 9/10/07
- 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 not likely to be at variance to this Principle**
The areas to be thinned consist of two separate sites. The northern area is 5.4 hectares and the southern area is 4.4 hectares. The northern area has an elevation that ranges from 130 - 145 metres, while the southern area has an elevation range of 100 - 140 metres. There are areas within the southern section that are quite steep, although the construction of appropriate cross drains will elevate erosion concerns (DEC, 2009). The supplied management plan stipulates that only selected trees will be harvested and the retention of a minimum basal area, along with limiting the damage to soil and retained trees during harvesting operations will reduce the risk

of land degradation(Bradshaw, 2008).

Methodology DEC (2009)
Bradshaw (2008)
GIS DataSets:
- Manjimup 50cm Orthomosaic - 9/10/07
- Hydrography linear - DOW 13/7/06
- Hydrography linear (hierarchy) - DoW 13/7/06
- Topographic contours statewide - DOLA and ARMY 12/09/02

(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 at variance to this Principle**
The applied areas are adjacent to the Gloucester National Park and within close proximity to the Warren State Forest. Vegetation that borders conservation areas is important as it acts as a buffer to these areas. While the vegetation is not significant as an ecological linkage, due to the position of the vegetation under application (adjacent to a conservation area) the proposed thinning activities may compromise the environmental values offered by the conservation area. To mitigate the adverse effects of clearing, vegetation management and weed and dieback management conditions will be imposed on a permit.

Methodology GIS Datasets:
- CALM Managed Lands and Waters - CALM 01/06/05
- Manjimup 50cm Orthomosaic - 9/10/07

(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**
The northern section of vegetation under application has a minor non-perennial watercourse that dissects the area centrally from east to west. The Lefroy River is located 400m to the east. The southern section of vegetation also has a minor non-perennial watercourse that runs along the southern border of the applied area. A dam is located on the western side of this section of vegetation under application. A vegetated buffer of 30 metres will be imposed on the permit in order to ensure that no increase in sediment flow into watercourses results.
CAWS advice (2009) has identified that only 10% of native vegetation remains on the land holding. Given that the proponent has committed to a management plan, surface and groundwater quality is unlikely to be adversely impacted by the proposed clearing.

Methodology CAWS (2009)
GIS DataSets:
- Groundwater Salinity Statewide DoW 13/07/06
- Hydrography linear - DOW 13/7/06
- Hydrography linear (hierarchy) - DoW 13/7/06

(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**
The proposed thinning of 9.8 hectares of native vegetation at two separate locations is not likely to result in an increase in flooding related impacts.

Methodology GIS DataSets:
- Hydrography, linear - DoW 13/7/06
- Mean Annual Rainfall Isohytes (1975 - 2003) - DEC 02/08/05
- Topographic Contours, Statewide - DOLA 12/09/02

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

Comments
Vegetation management conditions have been added to the permit to restore the understorey disturbed by the silviculture operations, retain mature trees and a set basal area for habitat and exclude stock to ensure the remaining vegetation can continue to function due to the disturbance and will recover in the future. These conditions are consistent with DEC Sustainable Forest Management (DEC, 2005).

Methodology DEC (2005)

4. Assessor's comments

Comment
The application has been assessed against the clearing principles, planning instruments and other matter in accordance with s510 of the Environmental Protection Act 1986 has found:

- Principle (h) is at variance
- Principles (b), (f) & (i) may be at variance
- All other principles are not likely to be at variance

5. References

Bradshaw (2008) Native Forest Managment Plan (Trim Ref: DOC81134).

CAWS (2009) Advice, Department of Water. Trim Ref: DOC83655.

Commonwealth of Australia (2001) National Targets and Objectives for Biodiversity Conservation 2001-2005, AGPS, Canberra.

DEC (2009) Site Inspection Report for Clearing Permit Application CPS 3075/1, Lot 470 & 5071 on Plan 229248 Road, Manjimup. Site inspection undertaken 6/04/2009. Department of Environment and Conservation, Western Australia (TRIM Ref. DOC82941).

Department of Environment and Conservation (2005) Silvicultural Practice in the Karri Forest. Department of Conservation and Land Management. SFM Guideline No.3

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.

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.

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)