



## **CLEARING PERMIT**

*Granted under section 51E of the Environmental Protection Act 1986*

### **PERMIT DETAILS**

Area Permit Number: 3247/1

File Number: DEC12312

Duration of Permit: From 22 August 2010 to 22 August 2015

### **PERMIT HOLDER**

Wayne Andrew Hall

Evelyn Belle Hall

### **LAND ON WHICH CLEARING IS TO BE DONE**

Lot 1 on Diagram 8907

Lot 4 on Diagram 51984

### **AUTHORISED ACTIVITY**

Clearing of up to 1.5 hectare of native vegetation within the area hatched yellow on attached Plan 3247/1

### **CONDITIONS**

Nil.

A handwritten signature in black ink, appearing to read "Matthew Warnock".

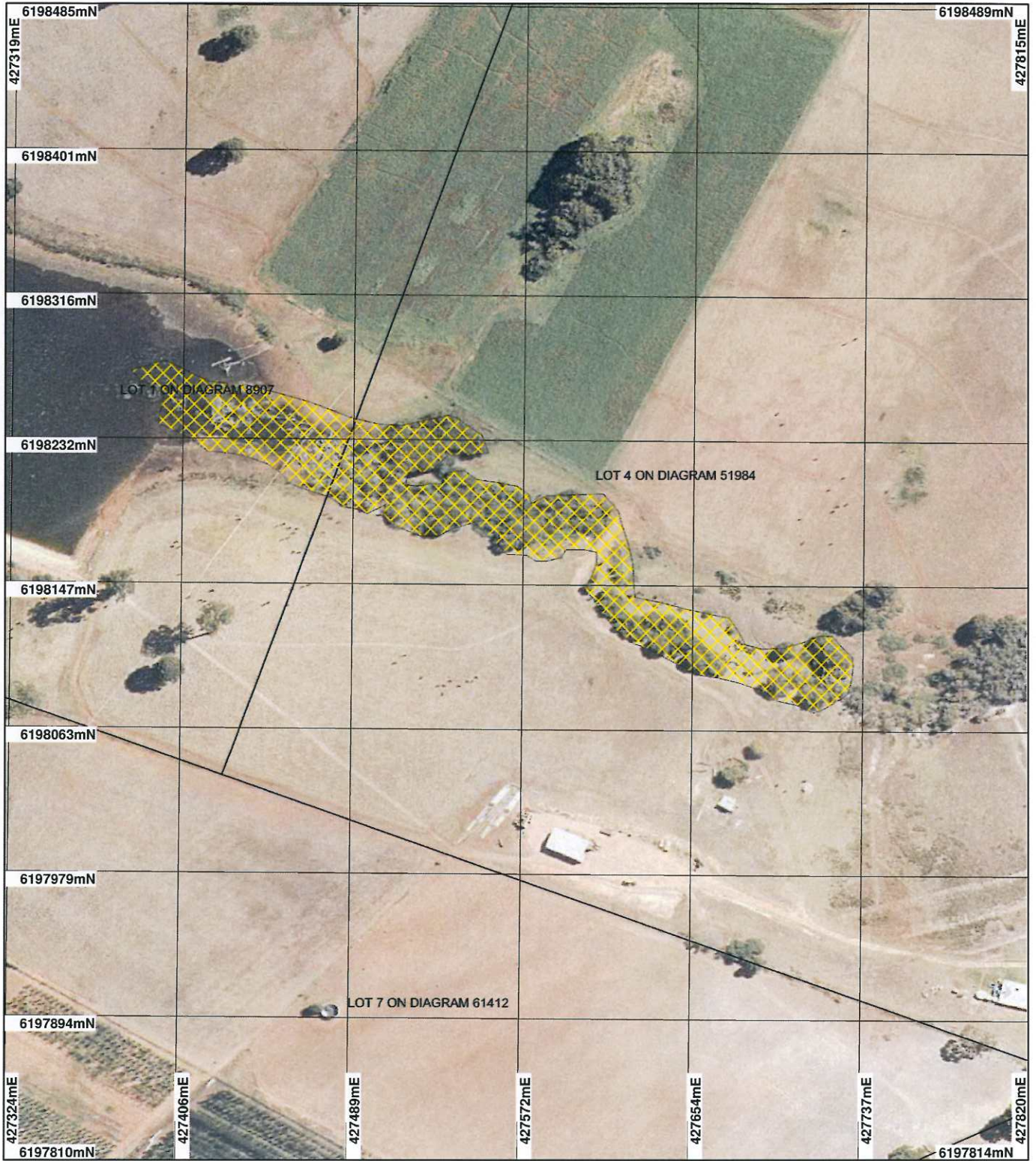
---

Matthew Warnock  
ACTING MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

*Officer delegated under Section 20  
of the Environmental Protection Act 1986*

22 July 2010

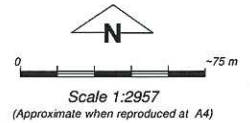
# Plan 3247/1



## LEGEND

- Cadastre
- Cadastre for labelling
- Clearing Instruments
- Areas Approved to Clear

Manjimup 50cm Orthomosaic -  
Landgate 2007



Geocentric Datum Australia 1994

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

*M. Warnock* Date *22/7/10*

M. Warnock

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 acknowledged by the agency acronym in the legend.



Department of  
**Environment and Conservation**

Our environment, our future  
WA Crown Copyright 2002



## 1. Application details

### 1.1. Permit application details

Permit application No.: 3247/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Wayne Andrew & Evelyn Belle Hall

### 1.3. Property details

Property: LOT 4 ON DIAGRAM 51984 ( SMITH BROOK 6258)  
LOT 1 ON DIAGRAM 8907 ( SMITH BROOK 6258)

Local Government Area:

Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1.5		Flooding	Dam construction or 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 vegetation association: 1144: Tall forest; karri & marri (Corymbia calophylla)	The proposal involves damming a minor perennial watercourse which intersects Lot 1 and Lot 4. This will result in the flooding and subsequent clearing of up to 1.5 hectares of vegetation near the boundary of Lot 1 and Lot 4.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	Vegetation condition was determined from the Landgate aerial photography, Manjimup (2129) captured 04/01/2009, and regional site visit (DEC, 2009a) and additional regional information (DEC, 2009b).
Mattiske vegetation association: WH1: Tall open forest of Eucalyptus diversicolor-Corymbia calophylla on slopes and tall open forest of Eucalyptus patens on valley floor in perhumid and humid zones.	The vegetation is considered to be degraded and best described as open riparian vegetation dominated by Agonis parviceps (now known as Taxandria parviceps) and Agonis flexuosa with a groundcover of Blackberry. Approximately 0.5ha of vegetation has died as a result of flooding caused by the construction of a large dam downstream of the applied area and is completely degraded.		

## 3. Assessment of application against clearing principles

### Comments

The clearing proposal involves constructing a dam wall on a minor perennial watercourse which will result in flooding and the subsequent clearing of up to 1 ha of vegetation upstream. The vegetation under application is degraded with half the applied area consisting of dead native trees inundated with water and the other half of the area consists of open riparian vegetation dominated by Agonis flexuosa and Taxandria parviceps with an understorey of blackberry (DEC 2009a, DEC 2009b).

There are no rare flora species or threatened ecological communities recorded in the vicinity of the project. There are numerous threatened and priority fauna species recorded in the local area (10km radius) however,

the area under application is small (1ha), in degraded (Keighery, 1994) condition with extensive surrounding vegetation (76% within the local area) and is not considered likely to provide significant habitat for fauna in the local area.

The vegetation to be cleared is growing in a minor perennial watercourse and is considered to be at variance to principle (f). However clearing is not likely to have a significant impact on hydrology and short term impacts from sedimentation, due to degraded nature of vegetation under application.

The proposal is not considered likely to be at variance to the remaining clearing principles.

#### Methodology

##### References:

- DEC (2009a)
- DEC (2009b)
- Keighery (1994)

##### GIS Layers:

- CALM Managed Lands & Waters
- Clearing Regulations - Environmentally Sensitive Areas
- Groundwater Salinity, statewide
- Hydrogeographic Catchments, Catchments - DoW 01/06/07
- Hydrogeology, statewide - DOW 13/07/06
- Hydrography, linear
- Manjimup 50cm Orthomosaic - Landgate 2004
- Matiske Vegetation Complexes
- SAC Biodatasets 26/08/09
- Salinity Risk LM 25m - DOLA 00
- Soils, Statewide DA 11/99

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

#### Comments

Lot 1 on Plan 8907 and Lot 4 on Plan 51984 are freehold land zoned Rural under the local Town Planning Scheme. The proposal is to clear up to 1.5 ha of native vegetation on a minor perennial watercourse which will be subject to flooding following the construction of a dam.

The flooding from the proposed dam will not impact vegetation outside of the applied area and the applicants have advised they intend to rehabilitate the watercourse upstream of the proposed dam (DEC, 2009b).

The Department of Water (2009a) have advised the area under application is within the RIWI Surface Water Area 'Warren River and Tributaries' therefore, a RIWI Act licence to disturb the bed and banks is required. The applied area is also within the Warren River Catchment which is subject to clearing controls under the Country Areas Water Supply Act 1947 (CAWS Act) and a CAWS Act clearing licence would also be required to proceed with the dam construction. However a CAWS Act clearing licence is only required where a permit to clear under the Environmental Protection Act 1986 (EP Act) is not granted, subject to the area not previously being compensated under the CAWS Act.

The Department of Water (2009b) has advised that the RIWI Act applications for a permit to build a dam and an increase in water entitlement are on hold awaiting the release of the Warren Donnelly Water Allocation Plan in May 2010.

No submissions from the public have been received.

The Shire of Manjimup (2009) have requested the following information be included in any approval granted by DEC:

The applicant is advised to confer with the Shire of Manjimup with respect to the need to comply as relevant with all requirements relating to its Town Planning Scheme, local laws and legislation relating to the movement of heavy vehicles and the repair of the road damage resultant from the use of those vehicles.

#### Methodology

##### References:

- Department of Water (2009)
- Shire of Manjimup (2009)

##### GIS Databases:

- Cadastre - Landgate Dec 07
- Country Area Water Supply Act (Part IIA) Clearing Control Catchments 29/06/2006
- Native Title Claims - LA 2/5/07
- Public Drinking Water Source Areas (PDWSAs) ? 07/02/06
- RIWI Act, Surface Water Areas
- Town Planning Scheme Zones - MFP 31/08/98

#### 4. References

- DEC (2009a) Site Inspection Report for Clearing Permit Application CPS 3247/1, Nelson Location 4, Peppermint Grove Road, Smithbrook, Manjimup. Site inspection undertaken 26/08/2009. Department of Environment and Conservation, Western Australia (TRIM Ref. DOC98001).
- DEC (2009b) Additional Warren Regional Advice. Department of Environment and Conservation Trim Ref DOC98057.
- Department of Water (2009). Country Area Water Supply Advice. DEC TRIM Ref: DOC99437.
- 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.
- Shire of Manjimup (2009) Direct Interest Submission. DEC TRIM Ref: DOC96699.

#### 5. Glossary

Term	Meaning
CALM	Department of Conservation and Land Management (now DEC)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment (now DEC)
DoW	Department of Water
DMP	Department of Mines and Petroleum (ex DoIR)
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)