



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 3766/1
Permit Holder:	Keith Reginald Gibellini
Duration of Permit:	17 January 2011 – 17 January 2016

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 drainage maintenance.

2. Land on which clearing is to be done

UNALLOCATED CROWN LAND ((PIN: 472619) PALGARUP 6258)
ROAD RESERVE ((PIN: 472620) PALGARUP 6258)

3. Area of Clearing

The Permit Holder must not clear more than 1 hectare of native vegetation within the area hatched yellow on attached Plan 3766/1.

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. 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:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

7. 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*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

Definitions

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

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

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;

weed/s 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 *Agriculture and Related Resources Protection Act 1976*.

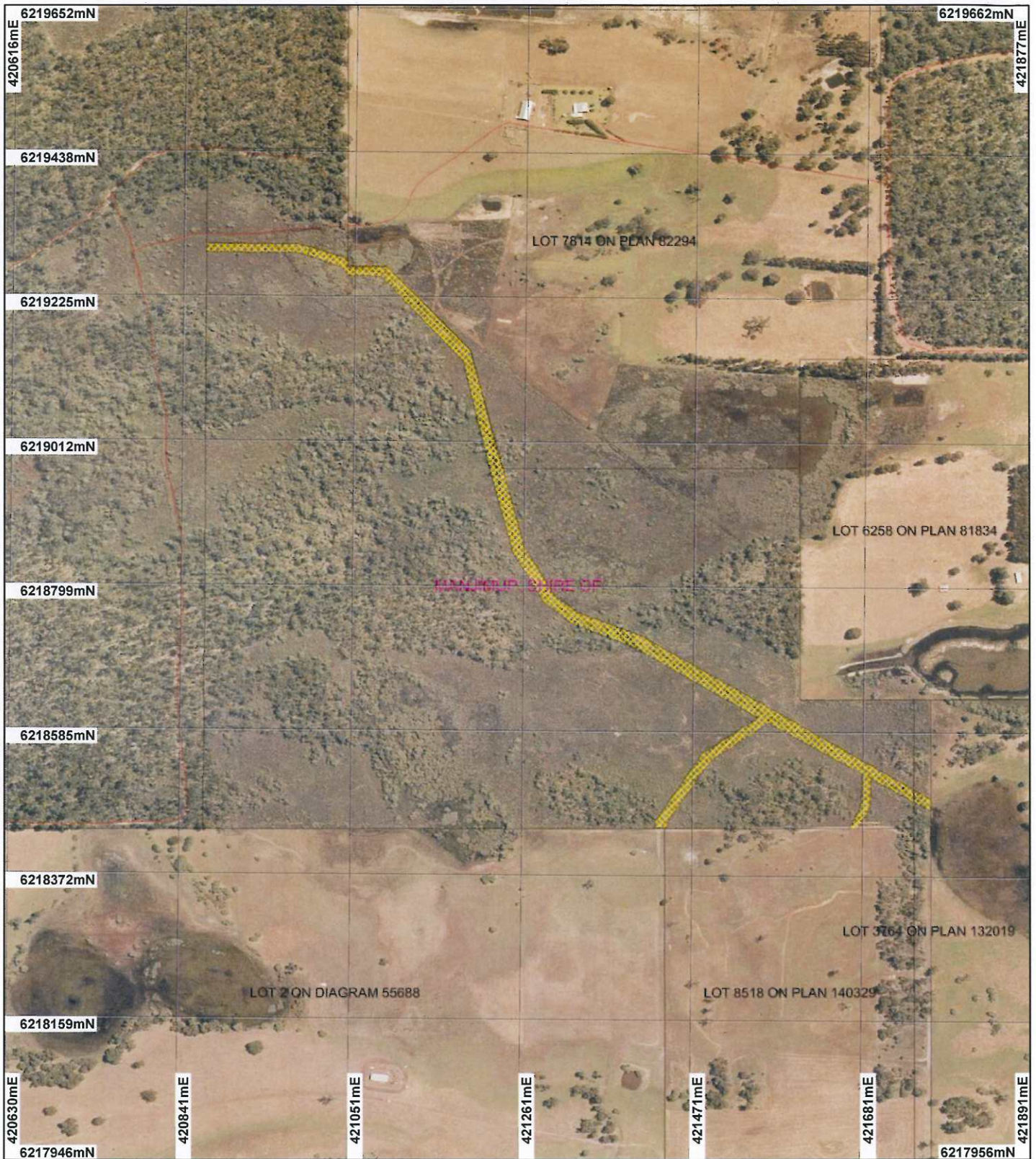


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

23 December 2010

Plan 3766/1



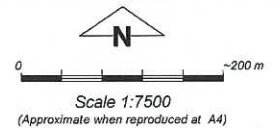
LEGEND

Cadastral for labelling
Clearing Instruments

- Areas Approved to Clear
- Road Centrelines
- Cadastral_1

Local Government
Authorities

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.

Date 23/12/10
K Faulkner

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

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1. Application details

1.1. Permit application details

Permit application No.: 3766/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Keith Reginald Gibellini

1.3. Property details

Property: UNALLOCATED CROWN LAND (PALGARUP 6258)
ROAD RESERVE (PALGARUP 6258)
Local Government Area: SHIRE OF MANJIMUP

1.4. Application

Clearing Area (ha)	Method of Clearing	For the purpose of:
1	Mechanical Removal	Drainage

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 23 December 2010

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
Mattiske Vegetation Complexes - Yornup (YR): Mosaic of open woodland of <i>Eucalyptus marginata</i> subsp. <i>marginata</i> - <i>Corymbia calophylla</i> , open woodland of <i>Melaleuca cuticularis</i> , open woodland of <i>Melaleuca preissiana</i> - <i>Banksia littoralis</i> - <i>Banksia seminuda</i> , tall shrubland of <i>Myrtaceae</i> spp. and sedgeland on broad depressions in humid and subhumid zones.	The vegetation under application comprises open heathland of <i>Agonis parviceps</i> (<i>Taxandria parviceps</i>) over sedges and pasture grasses on the boundary of the unallocated Crown land and the applicant's property (Lot 8518 on Plan 140329).	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The condition of the vegetation was confirmed through a site inspection undertaken by DEC officers on the 1st July 2010 (DEC, 2010a) and through aerial photography (Manjimup 50cm orthomosaic - Landgate 2007).
Kapalarup (KP): Mosaic of woodland of <i>Eucalyptus marginata</i> subsp. <i>marginata</i> - <i>Banksia ilicifolia</i> - <i>Banksia grandis</i> on low undulating rises and sedgeland of <i>Cyperaceae</i> spp. on broad flats in the humid zone. (Mattiske and Havel, 1998).	The vegetation is currently in an overall 'degraded' (Keighery, 1994) condition (DEC, 2010a) due to the site having recently been burnt in autumn 2010 prescribed burning (DEC, 2010a). The vegetation on the unallocated Crown land however, was in 'very good' condition prior to burning and it is expected that the vegetation will return to its original condition (DEC, 2010a).		
Beard Vegetation Associations - 126: Bare areas; freshwater lakes. 27: Low woodland; paperbark (<i>Melaleuca</i> sp.) 3: Medium forest; jarrah-marri (Hopkins et al. 2001)	As above.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	As above.

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 vegetation under application comprises Tea tree (*Melaleuca* sp.) and open heathland of *Taxandria parviceps* over sedges as well as pasture grasses on the boundary of the unallocated Crown land and the applicant's property (Lot 8518 on Plan 140329) (DEC, 2010a).

The vegetation is currently in an overall 'degraded' (Keighery, 1994) condition (DEC, 2010a) due to the site having recently been burnt in an autumn 2010 prescribed burn (DEC, 2010a). The vegetation on the unallocated Crown land however, was in 'very good' (Keighery, 1994) condition prior to burning and it is expected that the vegetation will return to its original condition (DEC, 2010a). Although the site was recently burnt, photographs taken during the site visit show that some of the existing drain still retained some cleared areas with the vegetation proposed to be cleared comprising regrowth and debris (DEC, 2010a).

Fourteen rare and priority flora species have been recorded within the local area (10km radius) of the applied clearing area, with two rare flora species (*Caladenia harringtoniae* and *Caladenia christineae*) and four priority species (*Hemigenia microphylla* (P3), *Thysanotus unicus* (P2), *Drosera occidentalis* subsp. *occidentalis* (P4) and *Astartea* sp. *Scott River* (P4)) having been identified as potentially occurring within the applied clearing area due to inhabiting similar vegetation and soil types (DEC, 2009; Brown et al, 1998 & WA Herbarium, 1998-2010). An in-season search was conducted in 2010 to identify any flora of conservation significance (DEC, 2010b). No rare flora species or habitat for the *Caladenia* species were recorded however, a section on the western side of the applied area was identified as potential habitat for *Hemigenia microphylla*, but due to the recent fire it is currently difficult to ascertain the presence of this species (DEC, 2010b). It is however, unlikely that the clearing as proposed will impact upon the conservation status of any of the priority flora species.

The proposed clearing comprises vegetation within an area subject to inundation and therefore is growing in association with a wetland, however given the scale of the proposed clearing within an existing drain it is unlikely that the proposal will significantly impact the values of the wetland.

Given the 'very good' (Keighery, 1994) condition that the vegetation surrounding the existing drain is expected to return to, which also adjoins Palgarup State Forest, conditions will be required to reduce the risk of weeds being introduced or spreading into the unallocated Crown land. Given that much of the applied clearing area is restricted to an existing drain it is unlikely that the vegetation under application is considered likely to comprise a high level of biological diversity.

Methodology

References:

- Brown et al (1998)
- DEC (2009)
- DEC (2010a)
- Keighery (1994)
- WA Herbarium (1998-2010)

GIS Databases:

- DEC Tenure - DEC
- Hydrography, linear (hierarchy) - DoW
- Manjimup 50cm Orthomosaic - Landgate 2007
- Mattiske Vegetation Complexes - DEC
- SAC Biodatasets - Accessed 2/7/2010
- Soils, Statewide - DA

(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

Thirteen threatened and priority fauna species have been recorded within the local area (10km radius) of the applied clearing area with the closest record being Forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*) approximately 420m away.

The Forest red-tailed black cockatoo is classed as Vulnerable under both the Environmental Protection and Biodiversity Conservation Act 1999 and the Wildlife Conservation Act 1950. This species feeds upon the seeds of marri, jarrah, blackbutt, karri, sheoak and snottygobble (Johnstone & Storr, 1998) therefore, as these species were not identified as occurring within the applied area (DEC, 2010a), it is unlikely that the proposed clearing will impact upon this species.

The vegetation within the unallocated Crown land is currently in a 'degraded' (Keighery, 1994) condition attributed to an autumn prescribed burn however, the vegetation was in 'very good' (Keighery, 1994) condition and it is expected that the vegetation will return to 'very good' (Keighery, 1994) post burn (DEC, 2010a). Based on photographs taken of the site, there are however, some areas along the drain that appear to still have remained predominantly cleared (DEC, 2010a). The vegetation may have provided habitat, particularly for ground dwelling fauna species however, given the scale of the proposed clearing within unallocated Crown land and that approximately 40% of the local area retains native vegetation, including areas of conservation (Palgarup State Forest and Alco Nature Reserve), the applied clearing area is unlikely to provide significant habitat for indigenous fauna species.

It is therefore concluded that the proposal is not likely to be at variance to this principle.

Methodology

References:

- DEC (2010a)
- Johnstone & Storr (1998)
- Keighery (1994)

GIS Databases:

- DEC Tenure - DEC
- SAC Biodatasets - Accessed 2/7/2010
- Manjimup 50cm Orthomosaic - Landgate 2007

(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

Fourteen rare and priority flora species have been recorded within the local area (10km radius) of the applied clearing area with the closest records being *Hemigenia microphylla* (priority 3 species) along a boundary of the unallocated crown land (DEC, 2010b) and *Caladenia harringtoniae* (DRF) approximately 1.6km away.

It has been noted that the existing drain lies within the Yornup landform type which is known to provide habitat for two declared rare flora species, *Caladenia harringtoniae* and *Caladenia christineae* (DEC, 2009).

Caladenia harringtoniae prefers habitat comprising *Melaleuca* sp. (paperbark) and *Eucalyptus rudis* (flooded gum) over winter-wet flats but have also been found to inhabit creeklines in *Eucalyptus marginata* (jarrah) and *Eucalyptus diversicolor* (karri) forest and scrub over sandy loam and granite outcrops while *Caladenia christineae* also inhabits the winter-wet flats and the margins of inundated areas on sand, clayey loams and laterite of heath and tall scrub communities under jarrah and marri forest or paperbarks (Brown et al, 1998 & WA Herbarium, 1998-2010).

An in-season search for flora of conservation significance was undertaken in October 2010. The survey did not identify the presence of any rare flora individuals or any potential habitat for rare *Caladenia* species, however, habitat suitable for *Hemigenia microphylla* (priority 3 species) was identified within one section of the applied clearing area (DEC, 2010b). Although due to the recent fire through this site it is difficult to determine the presence of this species, it is recommended that the applicant clear along the eastern side of the drain in this section in order to avoid the potential habitat for this priority species (DEC, 2010b).

Methodology

References:

- Brown et al (1998)
- DPI (2009)
- DEC (2009)
- DEC (2010b)
- WA Herbarium (1998-2010)

GIS Databases:

- Matiske Vegetation Complexes - DEC
- SAC Biodatasets - Accessed 2/7/2010
- Soils, Statewide - DA

(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

No threatened or priority ecological communities have been recorded within the local area (10km radius) of the applied clearing area. The closest TEC occurrence is the Scott River Ironstone Community (Endangered) approximately 62km from the applied clearing area and the closest priority ecological community (PEC) is the Epiphytic cryptogams of the karri forests of south west Western Australia, a priority 3 community approximately 14.2km from the drain.

Given the distance of the closest TEC and PEC to the applied clearing area and the fact that the applied area is of a different floristic community and soil type to these communities (DEC, 2010a), it is not likely that the proposed clearing area comprises the whole or a part of, or is necessary for the maintenance of, a TEC or PEC.

Methodology

References:

- DEC (2010a)

GIS Databases:

- Matiske Vegetation Complexes - DEC
- SAC Biodatasets - Accessed 2/7/2010
- Soils, Statewide - DA

(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 majority of the vegetation under application has been mapped as the Beard Vegetation Association 27 - Low woodland; paperbark (*Melaleuca* sp.) of which there is 75.8% of the pre-European extent remaining within the Jarrah Forest IBRA region (Shepherd, 2009).

The area under application is also mapped as the Matiske Vegetation Yornup Complex with vegetation consisting of a mosaic of open woodland of *Eucalyptus marginata* subsp. *marginata*-*Corymbia calophylla*, open woodland of *Melaleuca cuticularis*, open woodland of *Melaleuca preissiana*-*Banksia littoralis*-*Banksia seminuda*, tall shrubland of *Myrtaceae* spp. and sedgelands on broad depressions in humid and subhumid zones (DEC, 2009 & Matiske & Havel, 1998).

The property lies within the Shire of Manjimup in the Jarrah Forest IBRA region which have 84.6% and 55.8% of their pre-European extent remaining respectively (Shepherd, 2009).

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 per cent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001). Only Beard vegetation association 126 within the Jarrah Forest bioregion is below the 30% threshold, however this association has been mapped as a very small portion of the most eastern end of the applied clearing area.

The applied clearing area comprises up to 1 ha of predominantly regrowth of Tea tree (*Melaleuca* sp.) and *Taxandria parviceps* heathland over sedges as well as debris and silt with some areas of the drain still appearing to be unvegetated (DEC, 2010a) in an area that has approximately 40% of vegetation remaining. For these reasons the vegetation under application is not likely to be considered significant as a remnant of native vegetation in an area that has been extensively cleared.

	Pre-European (ha)	Current extent (ha)	Remaining (%)	In secure tenure (%)
IBRA Bioregion*				
Jarrah Forest	4,506,657	2,514,550	55.8	67.20
Shire*				
Shire of Manjimup	697,371	589,249	84.5	92.33
Beard vegetation type*				
126 (within Jarrah Forest)	9,957	2,700	27.1	60.36
27 (within Jarrah Forest)	49,877	37,795	75.8	78.29
3 (within Jarrah Forest)	2,390,592	1,657,964	69.4	79.39
Mattiske vegetation complex**				
YR (Yornup)	19,259	12,090	62.8	55.08
KP (Kapalarup)	1,160	580	50.1	30.43

*Shepherd (2009)

**Mattiske & Havel (1998)

Methodology

References:

- Commonwealth of Australia (2001)
- DEC (2009)
- DEC (2010a)
- Shepherd (2009)
- Mattiske & Havel (1998)

GIS Databases:

- Manjimup 50cm Orthomosaic - Landgate 2007
- NLWRA, Current Extent of Vegetation - DA & CALM

(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 drain under application is mapped as a minor, perennial watercourse. This drain however was constructed in the 1930's for the purposes of assisting in the draining of water from neighbouring properties (DEC, 2009) and is therefore not considered a natural watercourse. The closest natural watercourse is a branch of Linfarne Brook, a minor, perennial watercourse, approximately 1.4km west of the applied clearing area.

There are no mapped wetlands within the local area (10km radius) however, the applied clearing area has been mapped as an area subject to inundation and it was confirmed during the site visit that the area is a wetland (DEC, 2010a) and therefore the vegetation proposed to be cleared is deemed to be growing in association with a wetland.

It is therefore concluded that the proposal is at variance to this principle however, given the small scale of clearing proposed and the fact that the vegetation comprises regrowth, silt and debris within an existing drain that appears to still retain cleared areas, it is unlikely that the clearing itself will impact upon the values of this wetland.

Methodology

References:

- DEC (2009)
- DEC (2010a)

GIS Databases:

- Hydrography, linear - DoW
- Hydrography, linear (hierarchy) - DoW

(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 chief soils within the applied clearing area have been mapped by Northcote et al (1960-68) as being hard acidic yellow mottled soils with some hard acidic red mottled soils and brown earths all containing ironstone gravels. Associated are soils often with massive ironstone pavements, in the broad flat drainage-ways; and block laterite, gravelly and bouldery soils on the tops of rises and their colluvial slopes, together with some areas of leached sands (Northcote et al, 1960-68).

The site is mapped as having a low salinity risk with groundwater salinity ranging between 500 -1000mg/L total dissolved solids. The topography of the area under application is approximately 250m AHD and is of a low relief.

DEC advised in a response to the proposal in 2009 that the vegetation at the site was "not completely blocking the drain but may be impeding some water flow." The increased surface water flows from the neighbouring properties may over the long term result in water erosion along the drainage channel, however from photos undertaken during the site visit (DEC, 2010a) there is little indication of erosion beyond what was likely to have been the constructed drain.

Given that the vegetation under application consists of regrowth, debris and silt and that there are still cleared areas remaining along the drain it is unlikely that the clearing of the vegetation from the existing drain will result in appreciable land degradation.

Methodology

References:

- DEC (2009)
- DEC (2010a)
- Northcote et al (1960-68)

GIS Databases:

- Groundwater Salinity, Statewide - DoW
- Salinity Risk LM 25m - DOLA 00
- Soils, Statewide - DA
- Topographic Contours, Statewide - DOLA & ARMY

(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

The applied clearing area is approximately 2.2km north west of Palgarup State Forest. The State Forest adjoins the unallocated Crown land however, there has been no evidence to suggest that the existing drain has resulted in any impacts to the environmental values of the State Forest.

As the clearing is for the purpose of removing regrowth, silt and debris from an existing drain and the unallocated Crown land in question is fully vegetated and expected to return to 'very good' (Keighery, 1994) condition post burn, it is concluded that the proposed clearing of up to 1ha is unlikely to impact upon the environmental values of any adjacent or nearby conservation areas.

Given the close proximity of the applied clearing area to State Forest and vegetated areas expected to return to 'very good' (Keighery, 1994) condition (DEC, 2010a), there is the potential for indirect impacts on the environmental values of these sites such as the introduction or spread of weed species during the clearing process. The implementation of measures to prevent the introduction and/or spread of weeds will help to mitigate this risk.

Methodology

References:

- DEC (2010a)
- Keighery (1994)

GIS Databases:

- DEC Tenure - DEC
- Manjimup 50cm Orthomosaic - Landgate 2007

(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 vegetation under application lies within the Donnelly River Hydrographic Catchment within the Donnelly River Basin.

The drain was originally constructed for the purposes of draining of water from neighbouring freehold land (DEC, 2009) particularly during the winter months. Areas within the unallocated Crown land area also subject to seasonal inundation.

The chief soils within the applied clearing area have been mapped by Northcote et al (1960-68) as being hard acidic yellow mottled soils with some hard acidic red mottled soils and brown earths all containing ironstone gravels. Associated are soils often with massive ironstone pavements, in the broad flat drainage-ways; and block laterite, gravelly and bouldery soils on the tops of rises and their colluvial slopes, together with some areas of leached sands (Northcote et al, 1960-68). These soils have characteristically low permeability.

The site is mapped as having a low salinity risk with groundwater salinity ranging between 500 -1000mg/L total dissolved solids. The area under application has a topography of approximately 250m AHD and is of a low relief.

As the proposed clearing consists of up to 1ha of vegetation, debris and silt within an existing drain, it is unlikely that the proposed clearing will result in the deterioration in the quality of the surface or underground water resources in the local area. The increased amount of surface water movement from neighbouring farm land to unallocated Crown land however, may cause an increase in nutrients entering the unallocated Crown land via surface water flows.

Methodology **References:**
- DEC (2009)
- Northcote et al (1960-68)
GIS Databases:
- Groundwater Salinity, Statewide - DoW
- Salinity Risk LM 25m - DOLA 00
- Soils, Statewide - DA
- Topographic Contours, Statewide - DOLA & ARMY

(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 purpose of the existing drain was to assist in draining water from neighbouring rural properties (DEC, 2009). The clearing of the drain of regrowth, silt and debris will result in increased surface water flows to areas of the unallocated Crown land through water movement from the freehold land during the winter months.

The area under application is already known to become seasonally inundated and therefore, although there is likely to be increases in surface water flows, it is concluded that the clearing of up to 1ha within an existing drain is unlikely to exacerbate the incidence or intensity of flooding at this site.

Methodology **References:**
- DEC (2009)
GIS Databases:
- Hydrography, linear - DoW
- Hydrography, linear (hierarchy) - DoW
- Topographic Contours, Statewide - DOLA & ARMY

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

Comments The applied clearing area comprises the clearing of approximately 1ha of regrowth, debris and silt from an existing drain which lies within unallocated Crown land (UCL) and a road reserve. The existing drain was established in the 1930's to assist in draining water away from neighbouring properties however, the drain has not been maintained for at least 20 years (DEC, 2009).

The land under application is zoned 'park and recreation area' and 'rural' under the Town Planning Scheme.

The Department of Planning and Infrastructure (now DoP) advised the applicant in correspondence dated 18 March 2009 that DPI has no objection to the clearing of the drain subject to conditions outlined by DEC (DEC, 2009) including a rare flora search being completed, a permit to clear native vegetation obtained and that the drain is not to be excavated deeper than the existing base of the drain with machinery to be cleaned upon entry to the UCL to reduce the risk of weed spread (DPI, 2009). DEC (2009) Warren Region advised that they did not have any objections to the proposal going ahead subject to the aforementioned conditions being adhered to.

The Shire of Manjimup (2010a) advised that the applicant should be informed "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 road damage resultant from the use of those vehicles." The Shire has advised the applicant that they have no objections to authorising him access to and clearing the drain within the road reserve (Shire of Manjimup, 2010b)

The unallocated Crown land in question has a Native Title claim over it from the South West Boorah claimants (Commonwealth of Australia, 2009). Under Subdivision M of the Native Title Act 1993, the

Department of Environment and Conservation notified the claimants and representative body of the clearing application on the 2 June 2010. The South West Aboriginal Land and Sea Council (SWALSC) have advised that the "claimants object to any clearing permit being issued or further consideration of the application until the claimants have had an opportunity to complete a survey of the land in question" (SWALSC, 2010). The applicant has been advised that a survey of the site by representatives of the claimants has been requested prior to any clearing or works being undertaken in order to discharge obligations under the Native Title Act. The SWALSC are now in contact with the applicant regarding the requirements for complying with the Aboriginal Heritage Act 1972.

The property lies within Zone B of the Warren River Water Reserve managed under the Country Areas Water Supply Act 1947 administered by the Department of Water. The Department of Water (DoW) has advised that "although the proposed clearing site lies within the proclaimed boundary of the Warren River Water Reserve, it actually lies outside the Warren River catchment watershed" and is in fact within the Donnelly River Catchment (DoW, 2010). DoW also advises that there are no requirements under the Rights in Water and Irrigation Act 1914 as the drain is disconnect from any watercourse and is not considered a watercourse for the purposes of that Act and as such DoW has no objection to the proposal (DoW, 2010).

Methodology

References:

- Commonwealth of Australia (2009)
- DEC (2009)
- DoW (2010)
- DPI (2009)
- Shire of Manjimup (2010a)
- Shire of Manjimup (2010b)
- SWALSC (2010)

GIS Databases:

- Cadastre - Landgate
- Country Area Water Supply Act (Part IIA) - Clearing Control Catchments - DoW
- Native Title Claim Boundaries of Western Australia - DOLA
- RiWI Act, Areas - DoW
- Town Planning Scheme Zones - MFP

4. References

- Brown A., Thomson-Dans C. and Marchant N. (1998). Western Australia's Threatened Flora, Department of Conservation and Land Management, Western Australia.
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Commonwealth of Australia (2009) Information from Native Title Search of Native TitleVision Website (<http://www.ntv.nntt.gov.au/intramaps65/index.asp>), Accessed 2 July 2010. Geospatial Services, National Native Title Tribunal, Perth, Western Australia. DEC ref A314425.
- DEC (2010a) Site Inspection Report for Clearing Permit Application CPS 3766/1, unallocated Crown land adjoining northern boundary of Lot 8518 on Plan 140329, Palgarup. Site inspection undertaken 01/07/2010. Department of Environment and Conservation, Western Australia (DEC ref A314817).
- DEC (2010b) Survey for Flora of Conservation Significance within unallocated Crown land subject of clearing application CPS 3766/1. Department of Environment and Conservation, Pemberton, Western Australia. DEC ref A352442.
- DoW (2010) RiWI and CAWS Advice: CPS 3766 Clearing Application - Gibellini Unallocated Crown Land Palgarup. Department of Water, Perth, Western Australia. DEC ref A311180.
- 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.
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5. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now DEC)
DA	Department of Agriculture (now DAFWA)
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
DoLA	Department of Land Administration (now Western Australian Land Information Authority)
DoP	Department of Planning
DoW	Department of Water
DPI	Department of Planning and Infrastructure (now DoP)
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
MFP	Ministry for Planning
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DoW)