



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 3801/1

File Number: 2010/004241-1

Duration of Permit: From 22 August 2010 to 22 August 2012

PERMIT HOLDER

Peter Vellios

Maria Petronella Alexandrina Vellios

LAND ON WHICH CLEARING IS TO BE DONE

Lot 440 on Plan 229088 (RINGBARK 6258)

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 2 hectares of native vegetation within the area hatched yellow on attached Plan 3801/1.

CONDITIONS

Nil.

A handwritten signature in black ink, appearing to read "Matthew Warnock", written over a horizontal line.

Matthew Warnock

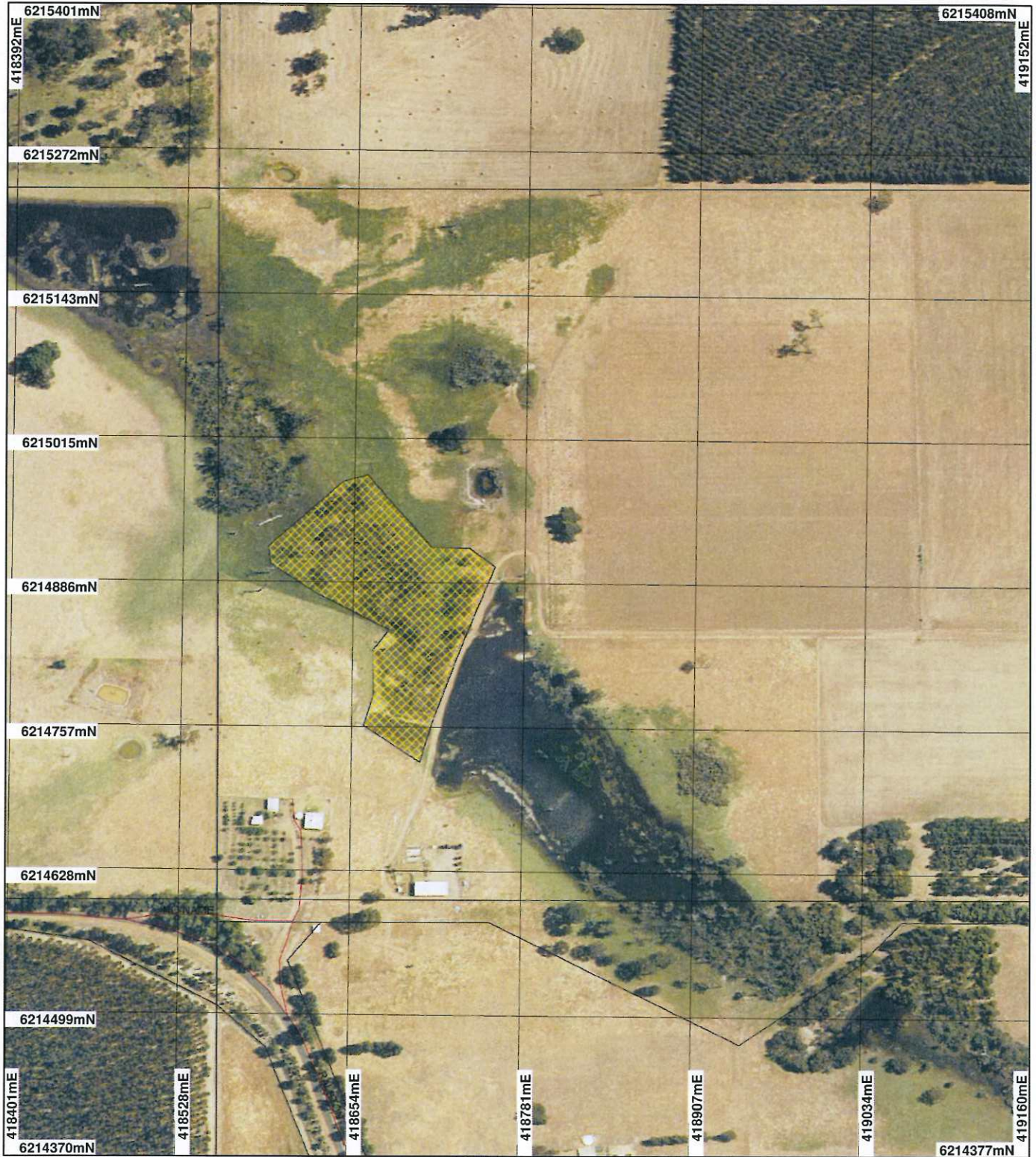
A/ MANAGER

NATIVE VEGETATION CONSERVATION BRANCH

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

22 July 2010

Plan 3801/1



LEGEND

- Clearing Instruments**
- Areas Applied to Clear
 - Areas Subject to Conditions
 - Areas Approved to Clear
 - Road Centrelines
- Cadastre
Manjimup 50cm Orthomosaic -
Landgate 2004



Scale 1:4521

(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.

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

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1. Application details

1.1. Permit application details

Permit application No.: 3801/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Peter and Maria Petronella Alexandrina Vellios

1.3. Property details

Property: LOT 440 ON PLAN 229088 (RINGBARK 6258)
LOT 440 ON PLAN 229088 (RINGBARK 6258)

Local Government Area:

Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2		Mechanical Removal	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
The vegetation under application is composed of Beard vegetation association 3: Medium forest; jarrah-marri (Shepherd, 2007) and Mattiske complex (Yanmah) YN1: mixture of tall open forest of Eucalyptus diversicolor and tall open forest of Corymbia calophylla-Eucalyptus patens-Eucalyptus marginata subsp. marginata over Agonis flexuosa and Agonis juniperina on valleys in perhumid and humid zones (Mattiske, 1998).	The area under application is in a degraded (Keighery, 1994) condition. A site visit conducted by Department of Environment and Conservation (DEC, 2010) found that the area is parkland cleared forest. The dominant species is Eucalyptus rudis, there are two small areas of Agonis parviceps and some isolated areas of sedges (DEC, 2010). The majority of the area has no mid or understorey.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The condition of the vegetation under application was determined through a site inspection conducted by DEC (July 2010) and via digital imagery (Manjimup 50cm Orthomosaic - Landgate 2004).

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 to clear 2ha of native vegetation to construct a dam in order to provide water for horticultural activities. The area under application is parkland cleared forest with the dominant species being Eucalyptus rudis. The majority of this area is void of any mid or under story vegetation (DEC, 2010).

Eleven fauna species were recorded within the local area (10km), of which the Chuditch and the Western Ringtail Possum were closest to the application area. No fauna was observed during the site visit and it is unlikely that any of the 11 fauna species will be present (DEC, 2010).

Five priority flora species were recorded on the same vegetation and soil type within the local area; Hemigenia rigida, Hemigenia microphylla, Caladenia christineae, Caladenia erythrochila, Calytrix pulchella and Chamelaucium forrestii. In addition, three declared rare flora species were recorded (Andersonia annelsii, Caladenia christineae and Caladenia harringtoniae). Given the degraded nature of the area under application is unlikely that any of these species will be present.

The clearing as proposed is not likely to impact on any flora or fauna of conservation significance nor is it likely to cause appreciable land degradation or impact on any conservation areas.

Therefore, it is not likely that clearing as proposed is at variance to this principle.

Methodology References:
DEC (2010)
Keighery (1994)

GIS Database:
- DEC Tenure
- Pre European Vegetation - DA 01/01
- SAC Biodatasets - accessed 7 July 2010

(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

Within the local area (10km radius) there were 11 fauna species recorded.

The Chuditch and the Western Ringtail Possum were closest recorded fauna species to the application area. Both were recorded 1.85km south of the proposed clearing.

A few tree hollows were observed during the site visit, however, there is no evidence to suggest that these hollows had been used by native fauna (DEC, 2010).

It is unlikely that any of the 11 recorded species will be present within the application area (DEC, 2010). The only animal that has a small chance of being present is Rakali (Water-rat) however, the proposed clearing is not likely to significantly impact this species.

Therefore, it is not likely that clearing as proposed is at variance to this principle.

Methodology References:
DEC (2010)

GIS Database:
- SAC Biodatasets - accessed 7 July 2010

(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

Three species of declared rare flora (DRF) have been recorded within the local area (10km radius); *Andersonia annelsii*, *Caladenia christineae* and *Caladenia harringtoniae*.

Andersonia annelsii is a low shrub which prefers habitat of quartzite ridges and granite outcrops (WA Herbarium, 1968 -). The area under application is not suitable habitat for this species.

Caladenia christineae and *Caladenia harringtoniae* are both orchids whose preferred habitat is winter-wet flats, margins of lakes and creeklines (WA Herbarium, 1968 -).

All three of the species were recorded on the same vegetation and soil type as the area under application. However, given the degraded nature of the area under application it is not likely that these species will be present. There is no suitable habitat remaining for DRF (DEC, 2010).

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

Methodology References:
DEC (2010)
Keighery (1994)
WA Herbarium (1968 -)

GIS Database:
- Pre European Vegetation - DA 01/01
- SAC Biodatasets - accessed 7 July 2010

(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 ecological communities have been recorded within the local area (10km radius).

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

Methodology GIS Database:
- SAC Biodatasets - accessed 7 July 2010

(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		
	Pre-European (ha)	Current extent (ha)	Remaining (%)
IBRA Bioregions*			
Jarrah Forest	4 671 007.81	2 601 026.44	55.98
Shire*			
Manjimup	697 359.72	595 561.57	85.40
Beard Vegetation Association* 3	2 530 711.14	1 793 910.77	70.89
Beard Vegetation Association within Bioregion* 3	2 803 140.96	2002 263.45	71.43
Mattiske VegetationComplex** YN1	19 512.64	15 993.4881.96	

* (Shepherd et al. 2007)

** (Mattiske Consulting 1998)

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).

Within the local area (10km radius) there is approximately 45% of vegetation remaining, the majority of which falls within North Donnelly State Forest. Given the degraded nature of the vegetation under application and the well represented vegetation types under application the area is not considered to a significant remnant in an extensively cleared area.

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

Methodology References:
Commonwealth of Australia (2001)
Shepherd et al. (2007)

GIS Database:
- Local Government Authorities - DLI 8/07/04
- Manjimup 50cm Orthomosaic - Landgate 2004
- Mattiske Vegetation - CALM 1/03/1998
- Pre European Vegetation - DA 01/01
- SAC Biodatasets - accessed 7 July 2010

(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 applicant is proposing to clear native vegetation to dam a section Yanmah Brook. Another minor, perennial water course runs through the northern end of the property. An existing dam also occurs on the property and is located immediately south of the area under application.

No wetlands were recorded within the local area.

Although the area under application is growing in association with Yanmah Brook the vegetation is in such a degraded state that it is not considered to have significant environmental values.

The proposal is at variance to this principle.

Methodology GIS Database:
- Hydrogeology, Linear - DOC13/07/06
- Hydrogeology, Statewide - DOC13/07/06
- SAC Biodatasets - accessed 7 July 2010

(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 clearing as proposed may cause some short term wind and water erosion issues however, it is unlikely that appreciable land degradation will result.

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

Methodology GIS Database:
- SAC Biodatasets - accessed 7 July 2010

(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**
Faunadale Nature Reserve is located 1.9km south of the application area. North Donnelly State Forest is 3km north west, Jarnadup State Forest is 6.5km south west and Tone State Forest is 6.7km south east.

The clearing as proposed is not likely to impact on the environmental values of these conservation reserves.

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

Methodology GIS Database:
- DEC Tenure

(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 may be at variance to this Principle**
The area under application falls within an area proclaimed under the Rights in Water and Irrigation Act (1914). This area is also within a Public Drinking Water Source Area.

The groundwater within the area under application has low to medium salinity (>500 to 1000 mg/L). Given the small area to be cleared (2ha) it is not expected for the proposed clearing to increase groundwater salinity. However, it is considered that the proposed clearing will cause some short term deterioration in surface water through sedimentation as the clearing involves removing vegetation from the banks of a minor watercourse which occurs within the area under application. Clearing of vegetation along and within this area will cause erosion of the watercourse banks and result in sedimentation of the surface water.

Therefore, this application may be at variance to this clearing principle.

Methodology GIS Database:
- Clearing Regulations - Environmentally Sensitive Areas - 30 May 2005
- Hydrogeology, Linear - DOC13/07/06
- Hydrogeology, Statewide - DOC13/07/06
- RIWI Act, Groundwater Areas - DoW 13/07/06

(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 clearing as proposed is not likely to increase the incidence or intensity of flooding.

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

Methodology GIS Database:
- Geomorphic Wetlands (Mt Categories), Swan Coastal Plain - 11/04/07
- Hydrogeology, Linear - DOC13/07/06
- Hydrogeology, Statewide - DOC13/07/06
- SAC Biodatasets - accessed 7 July 2010

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

Comments
Department of Water's Manjimup office has advised that they have an application from Mr Vellios for a RIWI Act Permit to interfere with Bed and Banks, and another application to amend an existing surface water licence. Department of Water (2010) have considered the water availability under the draft Warren - Donnelly Surface Water Allocation Plan and found that the water is available for Mr Vellios's proposal. Department of Water are holding off on issuing these licences until a clearing permit has been granted (DoW, 2010).

The Shire of Manjimup (2010) have requested that the following footnote be added to this approval;

"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 road damage resultant from the use of those vehicles".

The permit holder will be advised of their obligations under other laws including local government.

Methodology

References:

DoW (2010)

Shire of Manjimup (2010)

GIS Database:

- Clearing Regulations - Environmentally Sensitive Areas - 30 May 2005

- RIWI Act, Groundwater Areas - DoW 13/07/06

4. References

- DEC (2010) Site Inspection Report for Clearing Permit Application CPS 3801/1, Lot 440 on Deposited Plan 229088, Ringbark. Site inspection undertaken 13 July 2010. Department of Environment and Conservation, Western Australia (DEC Ref. A318780).
- DoW (2010) Water advice for Clearing Permit Application CPS 3801/1, Lot 440 on Deposited Plan 229088, Ringbark. Department of Water, Western Australia (DEC Ref. A318550).
- 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 (2010) Local Government advice for clearing permit application CPS 3801/1 (DEC Ref: A316592).
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Environment and Conservation. <http://florabase.dec.wa.gov.au/> (Accessed 16/07/2010).

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)