



## **CLEARING PERMIT**

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

### **PERMIT DETAILS**

Area Permit Number: 3829/1

File Number: 2010/004966-1

Duration of Permit: From 19 September 2010 to 19 September 2012

### **PERMIT HOLDER**

Kane Oliver Luzny

Jolene Adele Luzny

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

Lot 9377 on Deposited Plan 203168 (MIDDLESEX 6258)

### **AUTHORISED ACTIVITY**

The Permit Holder shall not clear more than 1.6 hectares of native vegetation within the area hatched yellow on attached Plan 3829/1.

### **CONDITIONS**

Nil.

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

Kelly Faulkner

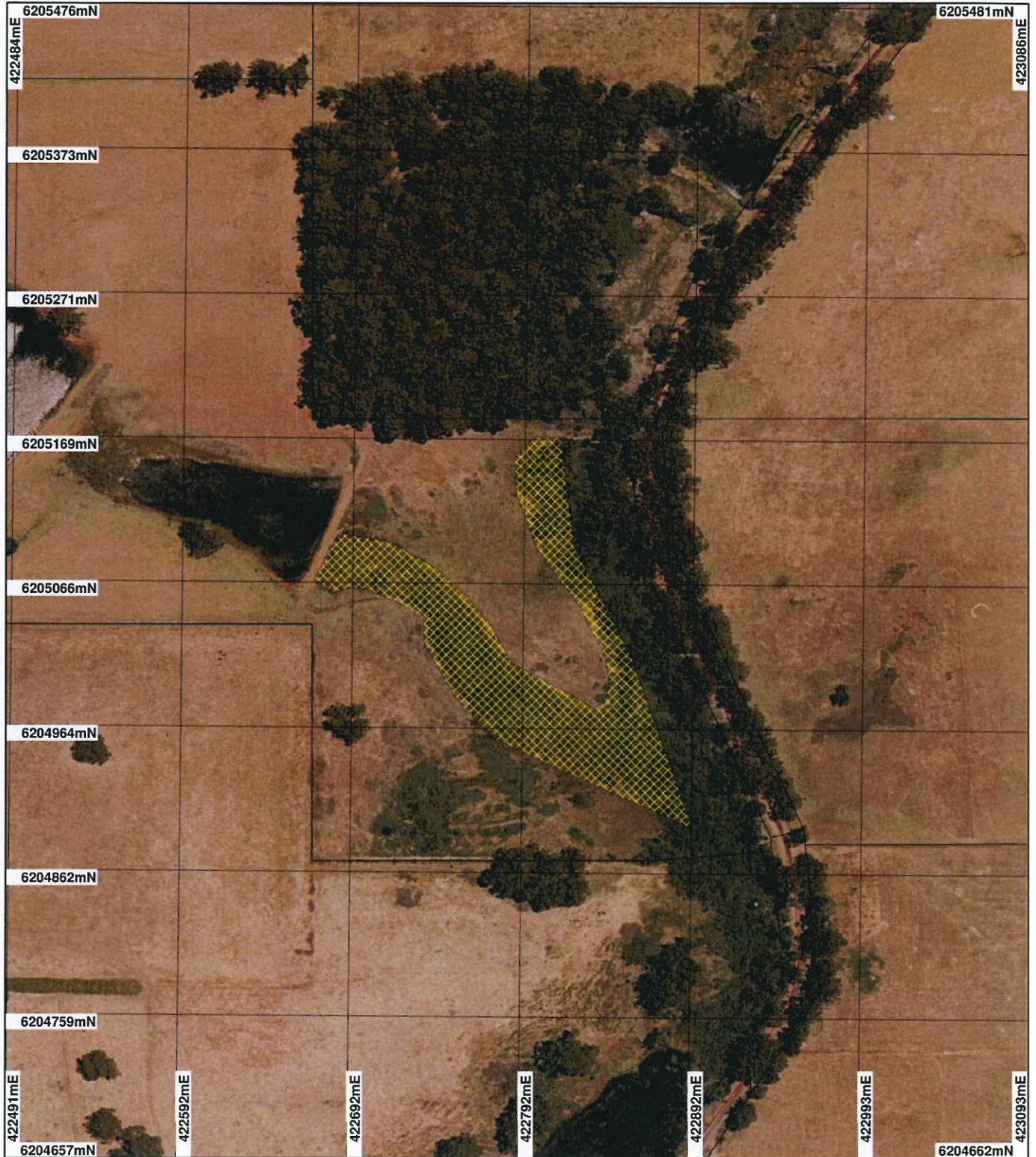
MANAGER

NATIVE VEGETATION CONSERVATION BRANCH

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

19 August 2010

# Plan 3829/1



## LEGEND

### Clearing Instruments


-  Areas Approved to Clear
-  Road Centrelines
-  Cadastre
-  Manjimup 50cm Orthomosaic - Landgate 2004



Scale 1:3587  
(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.

 Date 19/7/10  
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.: 3829/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Kane Oliver Luzny and Jolene Adele Luzny

### 1.3. Property details

Property: LOT 9377 ON PLAN 203168 (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:
1.6		Mechanical Removal	Dam construction or maintenance
		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
Mapped vegetation association 1144 is described as tall forest; karri & marri ( <i>Corymbia calophylla</i> ) (Shepherd, 2007).	The applicant is proposing to clear 1.6 hectares of native vegetation. The vegetation under application is dominated by <i>Agonis parviceps</i> (Tea tree) with one Karri tree.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	The condition of the vegetation under application was determined through a site inspection conducted by Department of Environment and Conservation (DEC, 2010) and via digital imagery (Manjimup 50cm Orthomosaic - Landgate 2004).

## 3. Assessment of application against clearing principles

### Comments

The proposal is to clear 1.6 hectares of native vegetation for the purpose of constructing a dam to provide water for an existing avocado enterprise. The dominant species within the application area is *Agonis parviceps* (Tea tree) and contains one Karri Tree.

Within the local area (10km radius) two rare flora species (*Andersonia anelsii* and *Caladenia christineae*) and five priority species (*Deyeuxia inaequalis*, *Chamelaucium forrestii*, *Caladenia erythrochila*, *Calytrix* and *Xanthoparmelia Xanthomelanoides*) were recorded. It is unlikely that any of these species will be present in the application area as it has been grazed by stock and contains many introduced weeds (DEC, 2010).

Twelve fauna species were recorded within the local area. The application area is only potential habitat for one of these 12 species; *Hydromys chrysogaster* (water rat). However, DEC site visit (2010) found no evidence of this species.

The vegetation under application is growing within and in association with a minor, perennial water course. In addition Smith Brook is located within close proximity of the western boundary of the proposed clearing. 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.

The clearing as proposed is not likely to impact the environmental values of any nearby conservation reserves nor is it likely to cause appreciable land degradation.

Considering the above the clearing as proposed is at variance to principle (f), may be at variance to principle (i) and is not likely to be at variance to the remaining clearing principle.

Methodology References:  
DEC (2010)

- GIS Database:
- DEC Tenure
  - Hydrogeology, Linear - DOC13/07/06
  - Pre European Vegetation - DA 01/01
  - SAC Biodatasets - accessed 22 July 2010

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

**Comments**

The area under application falls within an area proclaimed under the Rights in Water and Irrigation Act (1914). The Department of Water undertakes to grant a Licence to Take Water under Section 5C of the rights in Water and Irrigation Act 1914 subject to clearing approval (DoW, 2010a).

The proposed clearing area also lies within the Country Areas Water Supply Act (CAWS Act) gazetted Warren River Water Reserve. The Department of Water (DoW, 2010b) have advised that they have no objection to this clearing proposal but have recommended that a 30 meter wide local provenance vegetation buffer be established around the perimeter of the full storage reservoir level.

**Methodology**

References:

- DoW (2010a)
- DoW (2010b)

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 3829/1, Lot 9377 on Deposited Plan 203168, Middlesex. Site inspection undertaken 2 August 2010. Department of Environment and Conservation, Western Australia (DEC Ref. A323784).

DoW (2010a) Advice - Undertaking to Grant Water Licence for Lot 9377 Starkies Road, Middlesex. Department of Water, Western Australia (DEC Ref. A318084).

DoW (2010b) Country Areas Water Supply Act advice for Lot 9377 Starkies Road, Manjimup. Department of Water, Western Australia (DEC Ref: A325058).

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Shepherd, D.P. (2009) 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.

**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)