



## **CLEARING PERMIT**

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

### **PERMIT DETAILS**

Area Permit Number: 4475/1

File Number: 2011/006072-1

Duration of Permit: From 7 November 2011 to 7 November 2016

### **PERMIT HOLDER**

Christian Peter de Haan

Maria de Haan

Sape Pieter de Haan

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

LOT 21 ON PLAN 18170, MIDDLESEX 6258

### **AUTHORISED ACTIVITY**

The Permit Holder shall not clear more than 0.7 hectares of native vegetation within the area hatched yellow on attached Plan 4475/1.

### **CONDITIONS**

#### **1. Revegetation**

The Permit Holder shall establish and maintain trees within the area cross hatched red on attached Plan 4475/1 in accordance with the following requirements:

- (a) trees shall be established and maintained to an average planting density of 50 trees per hectare;
- (b) planting is to commence within twelve months of clearing any area authorised under this Permit.

#### **2. Records must be kept**

In relation to the planting of areas pursuant to condition 1 of this Permit:

- (a) the location of any areas planted, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
- (b) a description of the planting activities undertaken; and
- (c) the number of trees and density planted.

#### **3. 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 2 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 August 2016, the permit holder must provide to the CEO a written report of records required under condition 2 of this Permit where these records have not already been provided under condition 3(a) of this Permit.

## DEFINITIONS

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

*planting* means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species.



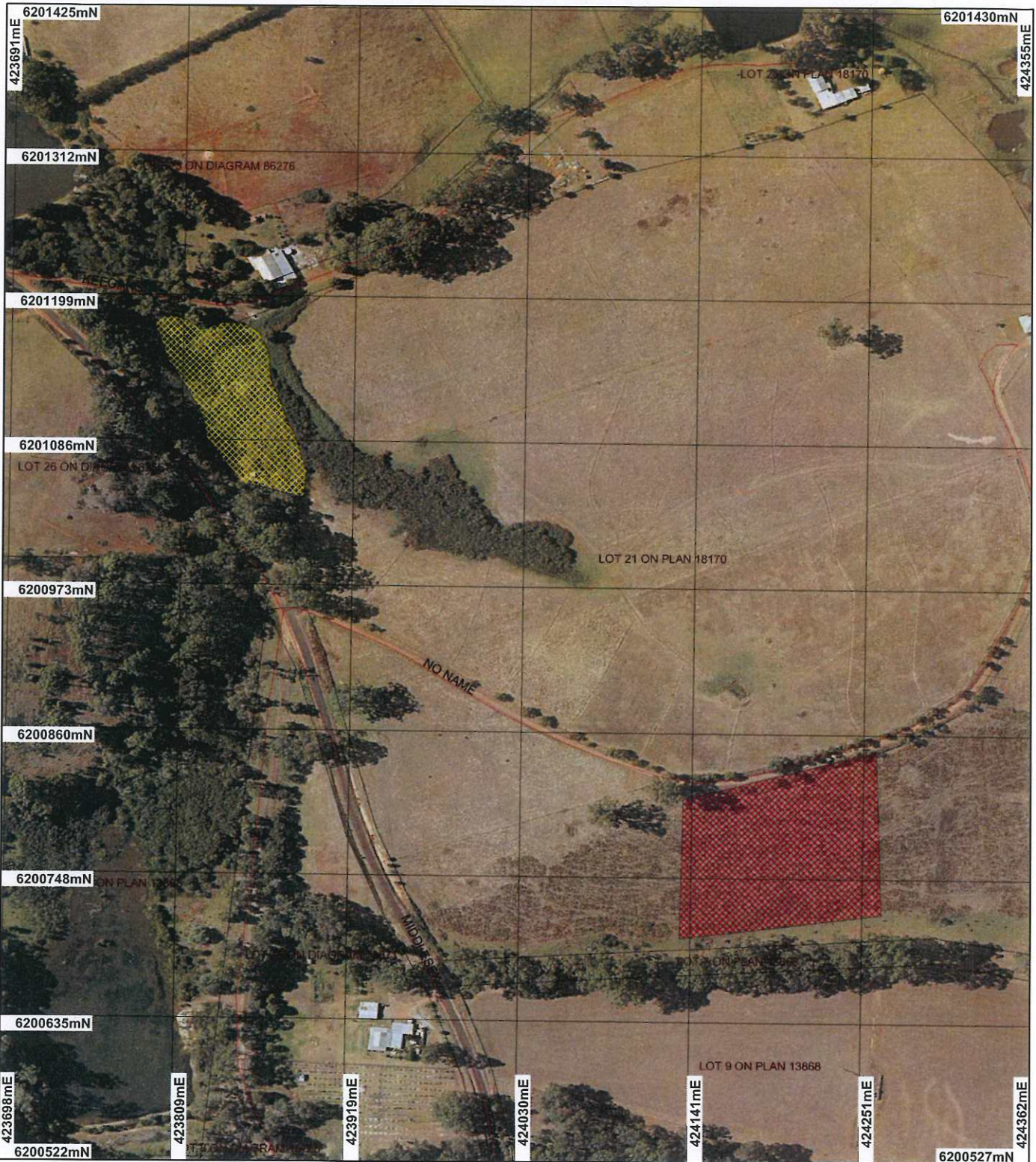
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Kelly Faulkner  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

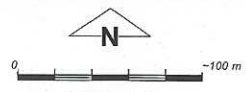
13 October 2011

# Plan 4475/1



## LEGEND

- |   |  |  |
|---|--|--|
| <ul style="list-style-type: none"> <li> Road Centrelines</li> <li><b>Cadastre</b></li> <li><b>Cadastre for labelling</b></li> <li> Freehold</li> <li> Crown Reserve</li> <li> State Forest / Timber Reserve (cont)</li> </ul> | <ul style="list-style-type: none"> <li> Marine Park</li> <li> Crown Lease</li> <li> Lease / Reserve</li> <li> Lease on State Forest / Timber Reserve</li> <li> Public Roads</li> <li> Unallocated Crown Land (cont)</li> </ul> | <ul style="list-style-type: none"> <li> Water</li> <li><b>Clearing Instruments</b></li> <li> Areas Applied to Clear</li> <li> Areas Subject to Conditions</li> <li> Areas Approved to Clear</li> <li><b>Manjimup 50cm Orthomosaic - Landgate 2007</b></li> </ul> |
|---|--|--|



Scale 1:3957  
(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 13/10/07

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.





## 1. Application details

### 1.1. Permit application details

Permit application No.: 4475/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Christian Peter, Maria and Sape Pieter de Haan

### 1.3. Property details

Property: LOT 21 ON PLAN 18170 (House No. 757 MIDDLESEX MIDDLESEX 6258)  
Local Government Area:  
Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.7		Mechanical Removal	Dam construction or maintenance

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 13 October 2011

## 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
<p>The vegetation under application is mapped as:</p> <p>Beard vegetation association:</p> <p>1144: Tall forest; karri &amp; marri (Corymbia calophylla) (Hopkins et al 2001; Shepherd 2009).</p> <p>Mattiske vegetation complex: WH1: 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 and Havel 1998).</p>	<p>The application is for the proposed clearing of 0.7 ha within Lot 21 Keegans Road, Middlesex for the purpose of reinstalling a dam.</p> <p>The vegetation proposed to be cleared consists of an open thicket of Agonis parviceps (tea tree) over sedges. The vegetation has been assessed as good (Keighery 1994) condition (DEC, 2008).</p>	<p>Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)</p>	<p>The vegetation condition and description was determined from aerial photography and a site visit (DEC, 2011).</p>

## 3. Assessment of application against clearing principles

### Comments

The application to clear 0.7 hectares of native vegetation (removal and flooding of vegetation) on Lot 21 Keegans Road, Middlesex for the purpose of constructing a dam is unlikely to have any significant environmental impacts. The vegetation is considered to be in a good (Keighery, 1994) condition and has been described as an open thicket of Agonis parviceps (tea tree) over sedges (DEC, 2011 and DoW, 2011).

There are no declared rare flora species or threatened ecological communities in the application area. The vegetation to be cleared is well represented in the local area, and would not have a detrimental impact on fauna.

The application area is within a watercourse and contains riparian vegetation. As the application is for the construction of a dam, flooding of the riparian vegetation will occur. The application area contains evidence, in the form of several dead trees, from the original dam flooding (DoW, 2011). The application is at variance with principle (f).

The application is to clear native vegetation associated with a waterway. The proposed clearing may cause deterioration in the surface water quality in the form of sedimentation, of the waterway in the downstream catchment, however this is likely to be a short term impact. The vegetation proposed to be cleared is in zone C of the Country Areas Water Supply Act 1947 (CAWS) which is a moderate salinity risk area of the catchment.

Salinity caused by clearing may pose a risk to the catchment and cause deterioration of the surface and/or underground water. The application may be at variance with principle (i).

The assessment of the application identified that the clearing is at variance to principle (f), may be at variance to principle (i) and is not likely to be at variance with any of the remaining principles.

- Methodology**
- References  
DEC (2011)  
DoW (2011)  
Keighery (1994)  
GIS databases:  
- Hydrography, linear DOW 13/7/06  
- Mattiske Vegetation Complexes (01/03/1998)  
- Pre-European vegetation - DA 01/01  
- SAC Biodatasets (Accessed 20 July 2011)

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

##### **Comments**

Department of Environment and Conservation sent a letter on 25 August 2011 requesting for an area for revegetation and for a copy of the required Rights in Water and Irrigation Act 1914 (RIWI) approvals. The applicant has responded on 10 October 2011 with a map of a 1.4ha area for revegetation.

The Department of Water has advised that the application is within a Country Areas Water Supply Act 1947 (CAWS) area and RIWI area. A RIWI application has been received by Department of Water.

The application to clear 0.7 hectares at Lot 21 Keegans Road, Middlesex is located within an area zoned rural in the town planning scheme.

Shire of Manjimup advised in any approval granted, the following footnote be included: '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 area under application is within the Warren River Water Reserve of the CAWS Act, native vegetation clearing controls since December 1978 to prevent salinisation of water resources (DoW 2011). The proposed clearing site is located in Zone C, a moderate salinity risk part of the catchment, where DoW Policy and Guidelines for the 'Granting of Licences to Clear Indigenous Vegetation' provide for the grant of a licence for the construction of a dam. The CAWS Act requires the retention of native vegetation on at least 10% of the owner's holding area. DoW (2011) advise that if 0.7ha of clearing is granted, it should be conditional that a minimum 1.4ha be revegetated to bring the total area of vegetation on the property to 4.2ha (10% of the 42.1ha holding).

- Methodology**
- References  
DoW (2011)  
Shire of Manjimup (2011)  
GIS databases:  
- Town Planning Scheme  
- CAWS area  
- Hydrography, linear  
- RIWI

#### **4. References**

DEC (2011) Site Inspection Report for Clearing Permit Application CPS 4475/1, Lot 21 Keegans Road, Middlesex. Site inspection undertaken 27/07/2011. Department of Environment and Conservation, Western Australia (Ref A417395.).

DoW (2011) Assessment Advice for Clearing Permit Application CPS 4475/1, Lot 21 Keegans Road, Middlesex. Email dated 28 July 2011 and 18 August 2011. Department of Water, Western Australia (Ref. A422904).

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.

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. (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.

Shire of Manjimup (2011) Direct Interest Submission for clearing permit application CPS 4475/1. Received 29 July 2011, Shire of Manjimup, Western Australia (Ref. A417356).

## 5. 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)