



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 4530/1

File Number: 2011/007005-1

Duration of Permit: From 26 December 2011 to 26 December 2018

### PERMIT HOLDER

Charles James Walker on behalf of Margaret Helen Walker

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 100 on Deposited Plan 63961, Yarri Road.

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.4 hectares of native vegetation within the area cross hatched yellow on attached Plan 4530/1.

### CONDITIONS

#### 1. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 26 December 2013.

#### 2. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (a) retain the vegetative material and topsoil removed by clearing authorised under this Permit and stockpile the vegetative material and topsoil in an area that has already been cleared.
- (b) at an *optimal time* following clearing authorised under this Permit, *revegetate* and *rehabilitate* the area(s) that are no longer required for the purpose for which they were cleared under this Permit by:
  - (i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land; and
  - (ii) ripping the ground on the contour to remove soil compaction; and
  - (iii) ripping the pit floor and contour batters within the extraction site; and
  - (iv) laying the vegetative material and topsoil retained under condition 2(a) on the cleared area(s) that are no longer required for the purpose for which they were cleared under this Permit; and
  - (v) deliberately *planting* and/or *direct seeding* native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area; and
  - (vi) ensuring only *local provenance* seeds and propagating material are used to *revegetate* and *rehabilitate* the area.
- (c) within 24 months of undertaking *revegetation* and *rehabilitation* in accordance with condition 2(b) of this Permit:
  - (i) engage an *environmental specialist* to determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and
  - (ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under condition 2(c)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, the Permit Holder must undertake additional *planting* or *direct seeding* of native vegetation in accordance with the requirements of condition 2(b)(v) and (vi) of this Permit.

- (d) where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 2(c)(ii) of this permit, the Permit Holder shall repeat condition 2(c)(i) and 2(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (e) where a determination by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, as determined in condition 2(c)(i) and (ii) of this permit, that determination shall be submitted for the CEO's consideration. If the CEO does not agree with the determination made under condition 2(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 2(c)(ii).

### 3. Records to be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
  - (i) the species composition, structure and density of the cleared area;
  - (ii) the location where the clearing occurred, 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;
  - (iii) the date that the area was cleared;
  - (iv) the date the extraction operations ceased; and
  - (v) the size of the area cleared (in hectares).
- (b) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 2 of this Permit:
  - (i) the location of any areas *revegetated* and *rehabilitated*, 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;
  - (ii) a description of the *revegetation* and *rehabilitation* activities undertaken;
  - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares);
  - (iv) the species composition, structure and density of *revegetation* and *rehabilitation*, and
  - (v) a copy of the environmental specialist's report.

### 4. Reporting

- (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
  - (i) of records required under condition 3 of this Permit; and
  - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 26 September 2018, the Permit Holder must provide to the CEO a written report of records required under condition 3 of this Permit where these records have not already been provided under condition 4(a) of this Permit.

### DEFINITIONS

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

***direct seeding*** means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species;

***dry conditions*** means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

***environmental specialist*** means a person who is engaged by the Permit Holder for the purpose of providing environmental advice, who holds a tertiary qualification in environmental science or equivalent, and has experience relevant to the type of environmental advice that an environmental specialist is required to provide under this Permit;

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

*local provenance* means native vegetation seeds and propagating material from natural sources within 10 kilometres of the area cleared;

*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;

*optimal time* means the period from April to June for undertaking *direct seeding*, and the period from May to June for undertaking *planting*;

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

*regenerate/ed/ion* means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) contained either within the topsoil or seed-bearing *mulch*;

*rehabilitate/ed/ion* means actively managing an area containing native vegetation in order to improve the ecological function of that area; and

*revegetate/ed/ion* means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.



Kelly Faulkner  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

1 December 2011



# Plan 4530/1



## LEGEND

### Clearing instruments

-  Areas Approved to Clear
-  Road Centrelines
-  Cadastre
-  Manjimup 50cm Orthomosaic - Landgate 2007



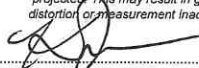
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Scale 1:3013

(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 1/12/11  
K Faulkner

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.: 4530/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Charles James Walker

### 1.3. Property details

Property: LOT 100 ON PLAN 63961 ( BALBARRUP 6258)  
Local Government Area: Shire of Manjimup

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.4		Mechanical Removal	Extractive Industry

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 1 December 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
The vegetation under application is mapped as being composed of:  - Beard 3: Medium forest; jarrah-marri; (Shepherd, 2009)  and  - Mattiske BE2 (Beven 2): Open forest to woodland of Eucalyptus marginata subsp. marginata with some Corymbia calophylla on lateritic uplands in humid and subhumid zones (Mattiske & Havel, 1998).	The vegetation under application is considered to be in a degraded (Keighery, 1994) condition (DEC, 2011).  The vegetation consists of a closed forest of Jarrah/Marri with a ground cover of introduced weeds and grasses (DEC, 2011). The area appears to be parkland cleared with only trees remaining (DEC, 2011).	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The condition and description of the vegetation under application was determined via a site inspection conducted by Department of Environment and Conservation (DEC, 2011).

## 3. Assessment of application against clearing principles

### Comments

The applicant has amended his application subject to advice given from Department of Environment and Conservation and reduced the total clearing from 1 ha of native vegetation to 0.4 ha for the purpose of gravel extraction. The vegetation consists of a closed forest of Jarrah/Marri with no middle storey and a ground cover of weeds and introduced grass species. The vegetation is in a degraded (Keighery, 1994) condition (DEC, 2011) and appears to be subjected to past disturbances such as logging and currently has stock grazing on it.

There have been 9 records of fauna species considered to be rare or endangered within a 10km radius of the application area. A recent site inspection considered the vegetation under application to be in a degraded (Keighery, 1994) condition (DEC, 2011) and unlikely to be suitable habitat for species of conservation significance known to exist in the local area (DEC, 2011).

There are no known rare or priority flora recorded within the near vicinity of the applied area. The closest recorded rare flora, Caladenia harringtoniae was recorded 5km west and the closest priority flora was recorded 6km west of the area under application. In addition, there are no known threatened ecological communities (TECs) within a 10km radius of the application area. Given the degraded (Keighery, 1994) condition (DEC,

2011) of the vegetation and the distance of the known priority and rare flora from the application area it is unlikely that the proposed clearing will significantly impact on priority and rare flora in the local area.

The vegetation proposed to be cleared is in zone B of the Warren River Water Reserve which is subject to the Country Areas Water Supply Act 1947 (CAWS Act), this area of the catchment is a high salinity risk area (DoW, 2011). The CAWS Act requires the retention of native vegetation on at least 10 per cent of the owners holding area (DoW, 2011), this is in the interest of good agricultural and conservation practices. DoW (2011a) has advised that the proposed clearing of 0.4 hectares would retain the 10 per cent requirement.

Given the small area under application and that the vegetation under application is considered to be in a degraded (Keighery, 1994) condition (DEC, 2011) it is unlikely that the proposed clearing will significantly impact upon ground water quality, surface water quality or cause appreciable land degradation in the local area. Therefore the proposal is not likely to be at variance to any of the clearing principles.

**Methodology**    References  
DEC (2011)  
DoW (2011)  
DoW (2011a)  
Keighery (1994)

GIS databases:  
- DEC Tenure  
- SAC Biodatasets (Accessed 23 August 2011)

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

##### **Comments**

The area under application lies within the Warren River Water Reserve which is subject to the Country Areas Water Supply Act 1947(CAWS Act). The Warren River catchment is classified as zone B, a high salinity risk part of the catchment. The Department of Water (DoW) policy and guidelines do not provide the grant of a license to clear indigenous vegetation for gravel extraction (DoW, 2011). However, as the applicant has revised the amount of total clearing and intends to replace the topsoil and establish perennial pasture that will lessen the potential for increased rainfall to groundwaters in the subject area, DoW (2011a) consequently has no objections to the proposal.

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 (Shire of Manjimup, 2011).

The Shire of Manjimup had granted Planning Approval subject to conditions and advice for the removal of gravel within Lot 100, Yarri Road Balbarrup (Shire of Manjimup, 2011a).

**Methodology**    References  
DoW (2011)  
DoW (2011a)  
Shire of Manjimup (2011)  
Shire of Manjimup (2011a)

GIS databases:  
- CAWS area

#### **4. References**

- DEC (2011) Site Inspection Report for Clearing Permit Application CPS 4530/1, Lot 100 Yarri Road, Balbarrup. Site inspection undertaken 8/09/2011. Department of Environment and Conservation, Western Australia (Ref A430055.).
- DoW (2011) Assessment Advice for Clearing Permit Application CPS 4530/1, Lot 100 Yarri Road, Balbarrup. Letter dated 7 September 2011. Department of Water, Western Australia (Ref. A423851).
- DoW (2011a) Assessment Advice for Clearing Permit Application CPS 4530/1, Lot 100 Yarri Road, Balbarrup. Email dated 22 November 2011 . Department of Water, Western Australia (Ref. A453132).
- 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 4530/1. Received 29 August 2011,



Shire of Manjimup, Western Australia (Ref. A426726).

Shire of Manjimup (2011a) Notice of Determination on Application for Planning Approval, Industry – Extractive. 24 October 2011, Shire of Manjimup, Western Australia (Ref. A453139).

## 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)