



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 4944/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Josington Pty Ltd

### 1.3. Property details

Property: LOT 25 ON PLAN 51490 ( WAROONA 6215)  
Local Government Area: Shire of Waroona  
Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
25		Mechanical Removal	Hazard reduction or fire control

### 1.5. Decision on application

Decision on Permit Application: Refuse  
Decision Date: 12 February 2014

## 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 Beard vegetation association 1000 is described as 'Mosaic: Medium forest; jarrah-marri / Low woodland; banksia / Low forest; teatree (Melaleuca spp.)' (Shepherd, 2001).	The amended application is to clear 25 hectares of native vegetation within Lot 25 on Deposited Plan 51490, Shire of Waroona, for the purpose of fire hazard reduction.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)  To	The vegetation under application is considered to be in a degraded to completely degraded (Keighery, 1994) condition (DEC, 2012) with the majority being in a completely degraded condition. The area has been subject to cattle grazing and was burnt during the Lake Clifton fire in January, 2011. The application area is heavily invested with weeds with very little native species alive, however the native vegetation is showing signs of regenerating (DEC, 2012). The area is subject to water inundation during seasonal rains.
Heddle vegetation Vasse Complex is described as 'Mixture of the closed scrub of Melaleuca species fringing woodland of Eucalyptus rudis (Flooded Gum) - Melaleuca species and open forest of Eucalyptus gomphocephala (Tuart) - Eucalyptus marginata (Jarrah) and Corymbia calophylla (Marri)'. (Hedde et al, 1980).		Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The condition of the vegetation under application was obtained from a site inspection conducted on the 16 April and 30 May 2012 by the former Department of Environment and Conservation (DEC, 2012).

## 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 amended application is to clear 25 hectares of native vegetation for the purpose of fire hazard reduction. The application is approximately 11km north-east from Preston Beach. The vegetation is in a degraded to completely degraded (Keighery, 1994) condition (DEC, 2012).

The area under application was burnt in the Lake Clifton fire in January 2011. The application area is heavily infested with weeds, with the trees species (*Melaleuca* sp.) appearing to be dead. A site inspection of the property identified that the native vegetation is regenerating well considering the high intensity of the fire, and the vegetation is in a better condition than it appears. The area under application is subject to cattle grazing.

Approximately 0.6 hectares of the central western boundary of the application area has been mapped as a Priority 1 Ecological Community referred to as the 'Elongate fluvial delta complex'. The system comprises assemblages of mixed low forests of *Casuarina obesa*, *Melaleuca cuticularis* and *M. raphiophylla* on the levees, assemblages of scrub of *M. raphiophylla*, *M. hamulosa* and *M. uncinata* on the abandoned levees and assemblages of salt marsh dominated by *Halosarcia* spp. on the flats and depressions. Given the condition of the vegetation it is not likely the mapped PEC is represented in the application area.

Approximately 15 percent of the area under application is mapped as a Conservation Category Wetland (CCW) with the remaining area being mapped as a Multiple Use Wetland.

The application area is adjacent to the Kooljerrenup Nature Reserve. The vegetation in the adjacent reserve is considered to be in a degraded to completely degraded (Keighery, 1994) condition (DEC, 2012).

Given the condition of the vegetation under application in conjunction with the impacts from grazing and fire history of the area, it is not likely that the application area comprises a high level of biodiversity.

The application is not likely to be at variance to this principle.

**Methodology**    References  
- DEC (2012)  
- Keighery (1994)  
GIS Database  
- Hydrology, Statewide  
- Pre-European vegetation  
- SAC Biodatasets accessed 16/5/2012

**(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**  
There have been 12 fauna species of conservation significance recorded within a 10 kilometre radius of the application area. The most notable are, *Dasyurus geoffroii* (Chuditch), *Calyptorhynchus banksii* subsp. (Forest red-tailed black cockatoo), *Calyptorhynchus baudinii* (Baudin's Cockatoo) and *Calyptorhynchus latirostris* (Carnaby's cockatoo).  
The vegetation under application is in a completely degraded (Keighery, 1994) condition (DEC, 2012) suffering from impacts of the Lake Clifton fire and previous grazing. Is it considered that the application area does not comprise of significant habitat for fauna species in the area.  
The application is not likely to be at variance to this principle.

**Methodology**    References  
- DEC (2012)  
- Keighery (1994)

**(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**  
Six species of threatened flora have been recorded within 10 kilometres of the application area. The closest species being an orchid species located approximately 2.2 kilometres south of the application area. This species is mapped in different soil to that in the application area.  
  
Given the soil type within the application area is not considered suitable for this species and the completely degraded condition of the vegetation under application, it is not likely that the vegetation within the application area is suitable habitat for the orchid species.

The application is not likely to be at variance to this principle.

**Methodology**    GIS Database:  
- SAC Biodatasets accessed 16/5/2012

**(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 at variance to this Principle**  
The closest mapped Threatened Ecological Community (TEC) to the application area is 'Eucalyptus calophylla';

Eucalyptus marginata woodlands on sandy clay soils of the Southern Swan Coastal Plain' approximately 3.8 kilometres north of the application area.

The vegetation under application is in a completely degraded (Keighery, 1994) condition (DEC, 2012) and is not representative of the mapped TEC, therefore the application is not at variance to this principle.

**Methodology** References  
 - DEC (2012)  
 - Keighery (1994)

GIS Database:  
 - SAC Biodatatssets accessed 16/5/2012

**(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 vegetation under application is mapped as Beard vegetation association 1000 of which there is approximately 29 percent of its pre-European extent remaining within the Swan Coastal Plain IBRA bioregion (Western Australian Government, 2011). The vegetation under application is also described as Heddle Vegetation Complex, Vasse Complex, of which there is approximately 29 percent of its pre-European vegetation extent remaining (Heddle et al, 1980).

Both the mapped Beard vegetation association and Heddle vegetation complex retain less than the threshold level (30 percent) recommended in the National Objectives Targets for Biodiversity Conservation, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia 2001).

In addition to the low representation levels of both mapped Beard and the Heddle vegetation complex, the application area occurs within an extensively cleared landscape with approximately 25 percent of native vegetation remaining in the local area (10km). However as the vegetation under application has been significantly altered as a consequence of the Lake Clifton fire and cattle grazing, and that the majority is in a completely degraded condition, it is not considered to be a true representation of the mapped Beard and Heddle vegetation complexes.

The application is not likely to be at variance to this principle.

	Pre-European (ha)	Current Extent Remaining (ha)	Remaining (%)	Extent in DEC Managed Lands (%)
IBRA Bioregion*				
Swan Coastal Plain	1,501,209	587,889	39	33
Shire				
Shire of Waroona	83,231	45,822	55	79
Beard Vegetation Association in Bioregion				
1000	99,836	28,877	29	16
Heddle Vegetation Complex				
Vasse Complex	11,190	3,287	29	-

**Methodology** References  
 - Commonwealth of Australia (2001)  
 - DEC (2012)  
 - Government of Western Australia (2011)  
 - Heddle et al (1980)  
 - Keighery (1994)  
 GIS Database:  
 - Pre-European

**(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**

Approximately 22 hectares of the application area is mapped as a Multiple Use Wetland. The remaining three hectares is mapped as a Conservation Category Wetland (CCW). In addition, the application area occurs within the Peel-Harvey Estuary which is on the Commonwealth Directory of Important Wetlands in Australia. The Directory describes 120 nationally important wetlands in Western Australia. A wetland may be deemed nationally significant on the basis of:

- Being a good regional example of a wetland type

- Its ecological or hydrological role, its role as habitat for fauna at vulnerable life stages,
- Its provision of drought refuge for fauna,
- Supporting 1 percent or more of the national population of an animal or plant taxon,
- Supporting nationally vulnerable or endangered taxa or communities, or
- Its cultural or historic significance (ANCA 1996)

CCW's support a high level of attributes, functions and values and are considered to be high priority wetlands for protection (Water and Rivers Commission, 2001).

Multiple use wetlands have few remaining important attributes, functions and values (Water and Rivers Commission, 2001). The application area also lies within the catchment for the Peel Harvey estuarine system, which has very high level issues with eutrophication from activities including grazing.

A site inspection undertaken by DEC (2012) recorded water dependant vegetation within the application area. The application is at variance to this principle.

**Methodology**    References -  
 -DEC (2012)  
 -Keighery (1994)  
 -Water and Rivers Commission (2001)  
 GIS Database:  
 - Hydrology, Statewide

**(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.**

**Comments        Proposal may be at variance to this Principle**

A site inspection undertaken by the former Department of Environment and Conservation (DEC, 2012) identified the chief soils as black and grey cracking clays. These types of soils are poorly drained and subject to water logging. The Commissioner of Soil and Land Conservation (CSLC, 2012) advised that there is a moderate risk of salinity if the proposed clearing is carried out, however the risk of eutrophication is very high and that of water logging high.

The CSLC identified extensive water logging at the time of their inspection (CLSC, 2012). This indicates that water table is shallow and that the area is poorly drained. The CSLC also advised that the risk of eutrophication is likely to increase with the clearing of native vegetation due to the soil types present and if grazing continues. Given the purpose of clearing has been amended fire hazard reduction the risk of eutrophication is not as high, however significant changes are still possible on the property especially in areas which are frequently inundated.

The clearing of vegetation may cause appreciable land degradation in the form of eutrophication and therefore the application may be at variance to this principle.

**Methodology**    References  
 - DEC (2012)  
 - CLSC (2012)  
  
 GIS Database  
 - Statewide, soils

**(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**

The area under application is adjacent to the Koolijerrenup Nature Reserve. The Koolijerrenup Nature Reserve covers an area of approximately 93 hectares and is reserved for the purpose of conservation of fauna and flora.

A site visit undertaken by the former Department of Environment and Conservation considered the vegetation within the reserve adjacent to the area under application to be in a degraded to completely degraded (Keighery, 1994) condition (DEC, 2012), with the vegetation in a degraded condition being along the Harvey River and Mayfield drain which are west and east respectively of the application area. The Koolijerrenup Nature Reserve adjacent to the application area is also heavily invested with weed species (grasses).

Considering the condition of the vegetation within the Koolijerrenup Nature Reserve, it is not likely that the clearing, as proposed will significantly impact upon the reserve.

The application is not likely to be at variance to this principle.

**Methodology**    References  
 - DEC (2012)  
 - Keighery (1994)



GIS Database  
- DEC Tenure  
- Statewide, Hydrology

**(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 is within a Multiple Use Wetland (22 hectares) and Conservation Category Wetland (CCW) (three hectares). CCW's support a high level of attributes, functions and values and are considered to be high priority wetlands for protection (Water and Rivers Commission, 2001). Multiple use wetlands have few remaining important attributes and functions (Water and Rivers Commission, 2001).

A site inspection identified that the three hectares of the mapped CCW within the application area is in a degraded to completely degraded (Keighery, 1994) condition (DEC, 2012). A CCW has also been mapped as occurring within the property outside of the clearing footprint. The CCW's outside the clearing area are considered to be in a degraded to good (Keighery, 1994) condition (DEC, 2012). The CCW mapped outside the application area has also been exposed to cattle grazing, however unlike the application area the CCW has little to no weeds present and there is significant regrowth in this area.

The site inspection (DEC, 2012) also identified riparian vegetation within the application area, therefore the proposed clearing may cause an increase in sedimentation to the area and subsequently deterioration of surface and groundwater within CCW's known in the area .

Given the above, the application may be at variance to this principle.

Buffers are designed to protect wetlands from potential deleterious impacts while helping safeguard and maintain ecological processes and functions within the wetland (Water and Rivers Commission, 2001). A 50 meter buffer is recommended to the adjacent CCW to help protect the values of this wetland.

**Methodology** References  
- Water and Rivers Commission (2001)  
- DEC (2012)  
- Keighery (1994)

GIS Database  
- Statewide, Hydrology

**(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**

Approximately 22 hectares of the area under application is mapped as a Multiple Use Wetland. The remaining three hectares has been mapped as a Conservation Category Wetland. The area under application is seasonally inundated with water and subjected to waterlogging. The proposed clearing may increase water logging but is not likely to increase the incidence or intensity of flooding.

The application is not likely to be at variance to this principle.

**Methodology** GIS Database  
- Statewide, Hydrology

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

**Comments**

The initial 2012 assessment of this application to clear, for the purpose of grazing, identified the application area is within a mapped Multiple Use and Conservation Category wetlands and that clearing of native vegetation (and the end landuse (grazing)) could result in water logging. Fencing of the northern area of the application was recommended to exclude stock. The former Department of Environment and Conservation (DEC) wrote to the proponent on 5 July 2012 with a request for further information before a final decision would be made.

The proponent responded on 15 August 2012 with plans to address water logging through the construction of dams and drainage channels and that feasibility studies for these would be undertaken soon. DEC responded requesting more information on this new clearing proposal and advised that the construction of dams and drainage channels may also require approvals from the Local Government Authority and Department of Water.

The proponent advised in December 2012 that they were unable to proceed with the dams and drainage channel proposal and that a wildfire burnt the property in January 2011.

In January, March and April 2013 further discussions were had with the proponent in an attempt to progress and finalise the original clearing application. The proponent advised in April that the now dead/degraded condition of the vegetation posed a serious fire hazard and that they wished to change the clearing purpose from grazing to fire hazard reduction, which would address the Shire of Waroona's fire hazard reduction notice. DEC determined that the Shire's notice related to the construction of firebreaks only and not clearing of the entire property.

The area under application falls within the Shire of Waroona's Town Planning Scheme No.7. Clause 4.15.5 of the Scheme requires that no development other than established grazing shall occur within 100m of the boundary of any conservation or water catchment reserve or the Murray or Harvey Rivers without Planning Consent (Shire of Waroona, 2012). The area under application has been recently and historically grazed.

The property is located within the Gazetted Peel Harvey Catchment and is subject to the moratorium on land clearing for agricultural purposes imposed by the Minister for the Environment under the Environmental Review and Management Program of the late 1980s.

#### Methodology

#### References

- Shire of Waroona (2012)

## 4. References

- Commissioner (2012), Commissioner of Soil and Land Conservation Land degradation assessment report. Department of Agriculture and Food Western Australia. DER Ref A536189.
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005. Canberra.
- DEC (2012) Site Inspection Report for Clearing Permit Application CPS 4944/1, Lot 25 Old Bunbury Road, Waroona. Site inspection undertaken 16 April 2012.. Department of Environment and Conservation, Western Australia (TRIM Ref. DOC:A512291).
- DEC (2012) Site Inspection Report for Clearing Permit Application CPS 4944/1, Lot 25 Old Bunbury Road, Waroona. Site inspection undertaken 30 May, 2012. Department of Environment and Conservation, Western Australia (TRIM Ref. DOC:A516292).
- Government of Western Australia (2013) 2012 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2012. WA Department of Environment and Conservation, Perth.
- Hedde, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, Western Australia.
- 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., 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 Waroona (2012) Direct interest submission for clearing permit application CPS 4944/1. Received 28 May 2012 (DEC Ref:A508287).
- Water and Rivers Commission (2001). Water and Rivers Commission Position Statement: Wetlands, Water and Rivers Commission, East Perth.