



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 5239/1  
File Number: 2012/006246-1  
Duration of Permit: From 9 November 2012 to 9 November 2014

### PERMIT HOLDER

BJ and KA Hulcup Pty Ltd  
Jasbre Pty Ltd

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 8065 on Deposited Plan 201542, QUINNINUP

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 5 hectares of native vegetation within the areas hatched yellow on attached Plan 5239/1.

### CONDITIONS

#### Dieback and weed control

When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds* and *dieback*:

- clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- shall only move soils in *dry conditions*;
- ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

### DEFINITIONS

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

*dieback* means the effect of *Phytophthora* species on native vegetation;

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

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

*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; and

*weed/s* means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*.

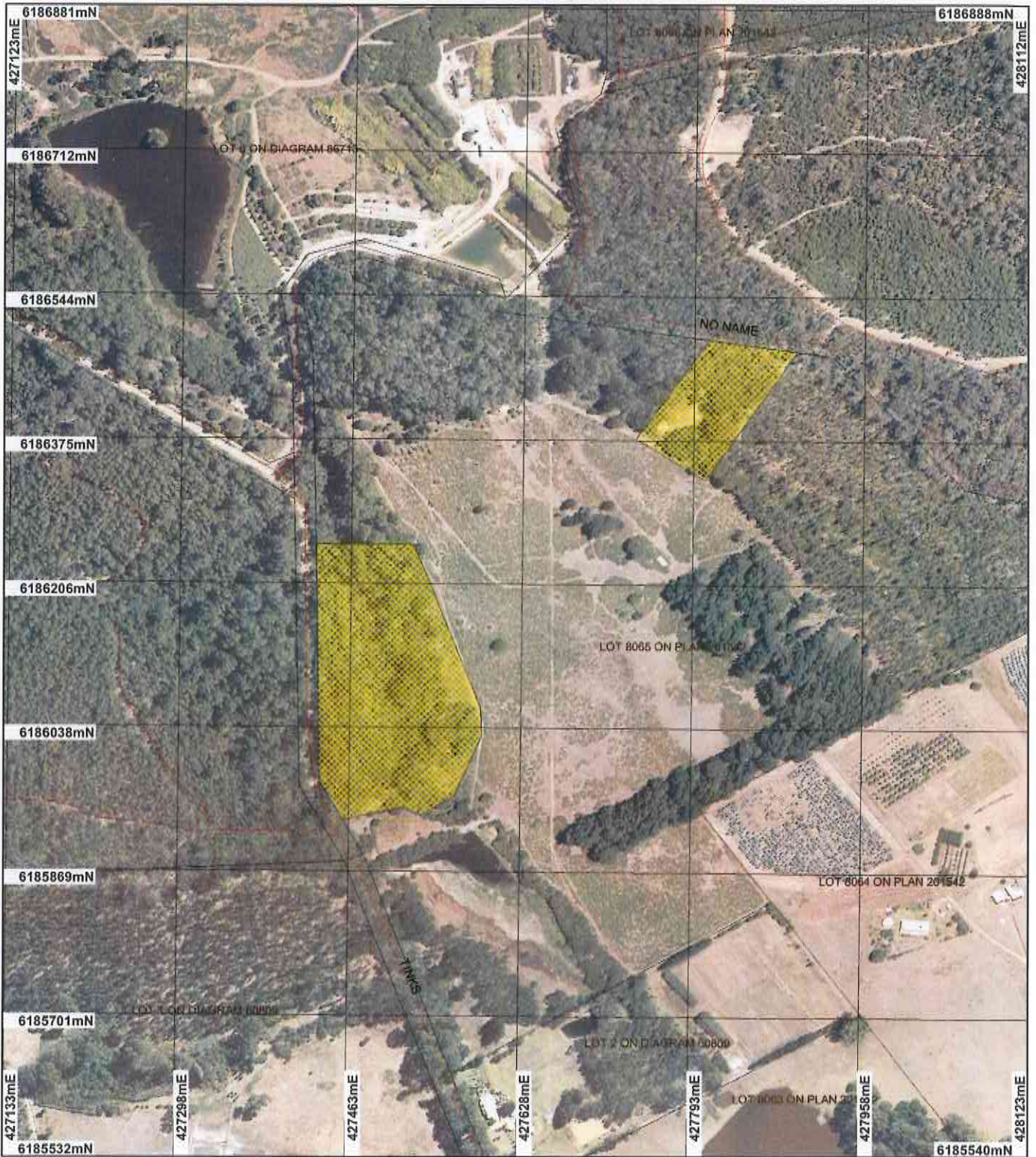
A handwritten signature in cursive script that reads "Roxane Shadbolt".

Roxane Shadbolt  
A/MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

18 October 2012

# Plan 5239/1



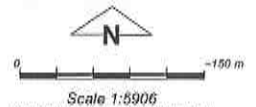
## LEGEND

- Road Centrelines
- Cadastre for labelling
- Freshhold
- Crown Reserve (cont)

- State Forest / Timber Reserve
- Marine Park
- Crown Lease
- Lease / Reserve
- Lease on State Forest / Timber Reserve (cont)

- Public Roads
- Unallocated Crown Land
- Water
- Clearing Instruments
- Areas Approved to Clear

Manj/mup 50cm Orthomosaic - Landgate 2007



Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

*R. Shadbolt* Date 18/10/12  
Roxane Shadbolt

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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\* Project Data is denoted by asterisk. This data has not been quality assured. Please contact map author for details.



## 1. Application details

### 1.1. Permit application details

Permit application No.: 5239/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: BJ and KA Hulcup Pty Ltd and Jasbre Pty Ltd

### 1.3. Property details

Property: LOT 8065 ON PLAN 201542 (House No. 150 TINKS QUINNINUP 6258)  
Local Government Area: Shire of Manjimup  
Colloquial name:

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 18 October 2012

## 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 1144 is described as Tall forest; karri & marri (Corymbus calophylla) (Shepherd et al. 2001)	The proposed clearing of 5 hectares is for the purpose of creating a dam and upgrading an existing one.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	Condition of vegetation was established through a site visit conducted by a Department of Environment and Conservation officer on the 5 October 2012 (DEC 2012).
Mattiske vegetation complex PM1 is described as Tall open forest of Eucalyptus diversicolor with mixtures of Corymbia calophylla on valley slopes and low forest of Agonis juniperina-Banksia seminuda-Callistachys lanceolata on valley floors in the perhumid zone (Mattiske and Havel 2001).	The vegetation under application around the existing dam (western area) consists of closed Karri forest over acacia pentadenia, Agonis flexuosa and Bracken fern in a very good (Keighery 1994) condition. This area also includes native sedges along watercourse in the area (DEC 2012).	To Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	
	The north eastern area (new dam site) consists of closed Karri forest with Acacia pentadenia and Agonis flexuosa in good (Keighery 1994) condition (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 vegetation under application around the existing dam (western area) consists of closed Karri forest over Acacia pentadenia, Agonis flexuosa and Bracken fern in a very good (Keighery 1994) condition. This area also includes native sedges along the watercourse (DEC 2012).

The north eastern area (new dam site) consists of closed Karri forest with Acacia pentadenia and Agonis flexuosa in good (Keighery 1994) condition (DEC 2012).

The application area does not contain suitable habitat for rare flora species of threatened ecological communities occurring within the local area (10 km radius).

There is approximately 80 per cent of native vegetation remaining within the local area and it is considered likely for the adjacent state forest and national parks to contain similar vegetation in better condition than the area under application.

Given the above, it is not considered likely for the proposed clearing to consist of high biodiversity.

**Methodology**    **References**  
-DEC (2012)  
-DEC (2007 -)  
-Keighery (1994)  
GIS Databases  
-NWLRA, Extent of Native Vegetation

**(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**  
Numerous conservation significant fauna have been recorded within the local area (10 km radius) (DEC 2007-).

The vegetation under application consists of regrowth Karri forest in very good to good (Keighery 1994) condition (DEC 2012). No trees large enough to support hollows were observed during the site visit (DEC 2012).

There is approximately 80 per cent of native vegetation remaining within the local area and it is considered likely for the adjacent state forest and national parks to contain similar habitat in better condition than the area under application.

Therefore, it is not considered for the vegetation under application to consist of significant fauna habitat and the proposed clearing is not likely to be at variance to this principle.

**Methodology**    **References**  
-DEC (2012)  
-DEC (2007-)  
-Keighery (1994)  
GIS Databases  
-NWLRA, Extent of Native Vegetation

**(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**  
Two rare flora species have been recorded within the local area (10 km radius) of the proposed clearing.

The area under application does not contain suitable habitat for these species (Brown et al. 1998) as the vegetation under application consists of Karri forest (DEC 2012).

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

**Methodology**    **References**  
-Brown et al. (1998)  
-DEC (2012)  
GIS Databases  
-Sac Bio datasets (17 September 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 likely to be at variance to this Principle**  
No Threatened Ecological Communities (TEC) has been recorded within 20 kms of the area under application.

Given this, it is not considered likely for the proposed clearing to consist of or is necessary for the maintenance of a TEC. Therefore, the proposed clearing is not likely to be at variance to this principle.

**Methodology**    **GIS Databases**  
- Sac Bio datasets (17 September 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 type 1144 which has 79.5 per cent of pre-European extent remaining within the warren bioregion (Government of Western Australia, 2011). The Mattiske vegetation type mapped within the application area PM1 has 67 per cent of pre-European vegetation remaining

(Mattiske and Havel, 1998).

The local area (10 km radius) is well vegetated with approximately 80 per cent vegetation remaining.

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). The Region, Shire and Vegetation complexes shown below all retain greater than 65 per cent native vegetation.

Therefore, the vegetation under application it is not likely to be a significant remnant in an extensively cleared area. The proposed clearing is not likely to be at variance to this principle.

	(ha)	(ha)	(%)
IBRA Bioregion*			
Warren	833,982.00	664,123.16	79.63
Shire*			
Shire of Manjimup	697,369.62	589,098.40	84.47
Beard Vegetation Association in Bioregion*			
1144	159,668.36	126,978.72	79.53
Mattiske Vegetation Complex **			
PM1	25,801.15	17,372.58	67.33

(Mattiske and Havel, 1998)\*\*  
(Government of Western Australia, 2011)\*

**Methodology**    **References**  
-Mattiske and Havel (1998)  
-Government of Western Australia (2011)  
-Commonwealth of Australia (2001)  
**GIS Databases**  
-Pre-European vegetation  
-NWLRA, Extent of Native Vegetation

**(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**  
Two minor perennial watercourses occur within the application areas. A site visit identified riparian vegetation within both areas under application (DEC 2012).

Given that the area under application contains a perennial minor watercourse and contains riparian vegetation, it is considered for the proposed clearing to be at variance to this principle.

**Methodology**    **References**  
-DEC (2012)  
**GIS databases**  
-Hydrography, linear

**(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 area under application occurs on sandy yellow mottled soils (Northcote et al. 1960-68) and has been identified as occurring within the Pemberton Subsystem (Dwalganup).

No evidence of salinity was observed on the property under application and it is considered for the risk of salinity to be low as a result of the proposed clearing (Commissioner of Soil and Land Conservation 2012).

It is also not considered likely for soil erosion to occur due to the soils present within the application area (Commissioner of Soil and Land Conservation 2012).

Given this, it is not considered likely for the proposed clearing to be at variance to this principle.

**Methodology**    **References**

-Northcote et al. (1960-68)  
-Commissioner of Soil and Land Conservation (2012)  
GIS Databases  
-Soils, statewide  
-Salinity Risk

**(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 may be at variance to this Principle**

The proposed clearing is adjacent to the Warren State Forest.

The vegetation under application provides some buffering capacity against the spread of weeds and dieback into this conservation area from surrounding agricultural land use.

Given the close proximity to these conservation reserves it may be considered likely for the proposed clearing to introduce and cause the spread of weeds and dieback into these conservation areas. Weed and dieback mitigation measures would reduce this impact.

The proposed clearing may be at variance to this Principle.

**Methodology** GIS Databases  
-DEC Managed Lands  
- Donnelly 50cm Orthomosaic - Landgate 2007

**(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 is not likely to be at variance to this Principle**

Two minor perennial watercourses occur within the application areas. A site visit identified riparian vegetation within both areas under application (DEC 2012).

The applied area has been identified as occurring within the Pemberton soil Subsystem (Dwalganup). The Pemberton Subsystem (Dwalganup) has a low risk of phosphorus loss and therefore there is a low risk of eutrophication due to the proposed clearing (Commissioner of Soil and Land Conservation 2012).

The proposed clearing may cause sedimentation of surface water of the watercourses that occur within the applied area however this impact is considered to be small and short term.

Therefore, the proposed clearing is not considered likely to be at variance to this Principle.

**Methodology** References  
-Commissioner of Soil and Land Conservation (2012)  
-DEC (2012)  
GIS Databases  
-Hydrography, linear

**(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**

Two minor perennial watercourses occur within the application areas. A site visit identified riparian vegetation within both areas under application (DEC 2012).

The proposed clearing is unlikely to significantly increase surface runoff into the nearby watercourses as the surrounding area is highly vegetated (Commissioner of Soil and Land Conservation 2012).

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

**Methodology** References  
-DEC (2012)  
-Commissioner of Soil and Land Conservation (2012)  
GIS databases  
-Hydrography, linear  
-NWLRA, Extent of Native Vegetation

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

### Comments

The proposed clearing of 5 hectares is for the purpose of creating a dam and upgrading an existing one on Lot 8065 on Plan 201542 Quinninup.

The applied area occurs within the Country Areas Water Supply Act 1947 (CAWS Act), Warren River Water Reserve Area - Zone C where clearing of native vegetation has been controlled since 1978 to prevent salinisation of water resources.

Department of Water (2012) has advised that no CAWS Act compensation has been paid to retain vegetation on Lot 8065. The proposed clearing of 5 ha will result in approximately 27.6 per cent native vegetation remaining on the property which is above the 10 per cent retention threshold for CAWS areas.

An application for a permit to enlarge the existing dam on the western side of the property under the Rights in Water and Irrigation Act 1941 (RIWI Act) has been received by the Department of Water. Department of Water (2012) has advised that preliminary assessment indicates that the requested volume of water is available within the sub management area allocation limit and that there are no significant impediments to dam construction and water license amendment. Therefore a RIWI Permit is likely to be issued. The small dam near the north-western side of the property is on a water source that rises within the property and isn't subject to RIWI Act approvals (Department of Water 2012).

The Shire of Manjimup (2012) has advised that planning approval is not required if the proposed dams are more than 20 m from the property boundary.

The applied area is zoned Priority Agriculture under the Shire of Manjimup's Town Planning Scheme.

No Submissions have been received.

### Methodology

#### References

- Department of Water (2012)
- Shire of Manjimup (2012)
- GIs Databases
- Town Planning Scheme Zones

## 4. References

Commissioner of Soil and Land Conservation (2012); Land Degradation Advice and Assessment Report for clearing permit application CPS 5239/1 received 9/10/2012; Department of Agriculture and Food Western Australia (DEC ref A553709).

Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.

DEC (2007 - ) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed 17/09/2012

DEC (2012) Regional Advice and Site Inspection Report for Clearing Permit Application CPS 5239/1, Lot 8065 Deposited Plan 201542 Quinninup. Site inspection undertaken 5/10/2012. Department of Environment and Conservation, Western Australia (DEC Ref. A553260).

Department of Water (2012) CAWS and RIWI Act advice for CPS 5239/1 - Lot 8065 on Deposited Plan 201542 Quinninup. DEC ref A552764

Government of Western Australia (2011); 2011 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). WA Department of Environment and Conservation, Perth.

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.

Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68): 'Atlas of Australian Soils, Sheets 1 to 10, with explanatory data'. CSIRO and Melbourne University Press: Melbourne.

Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.

Shire of Manjimup (2012) Direct Interest Submission for CPS 5239/1 - Lot 8065 on Deposited Plan 201542, Quinninup. DEC

## 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)