



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 5569/1
File Number: 2013/001912-1
Duration of Permit: From 27 July 2013 to 27 July 2015

PERMIT HOLDER

John Clifford Higgins

LAND ON WHICH CLEARING IS TO BE DONE

Lot 364 on Deposited Plan 33126 (Thomson Brook 6239).

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 1.5 hectares of native vegetation within the area hatched yellow on attached Plan 5569/1.

CONDITIONS

Nil

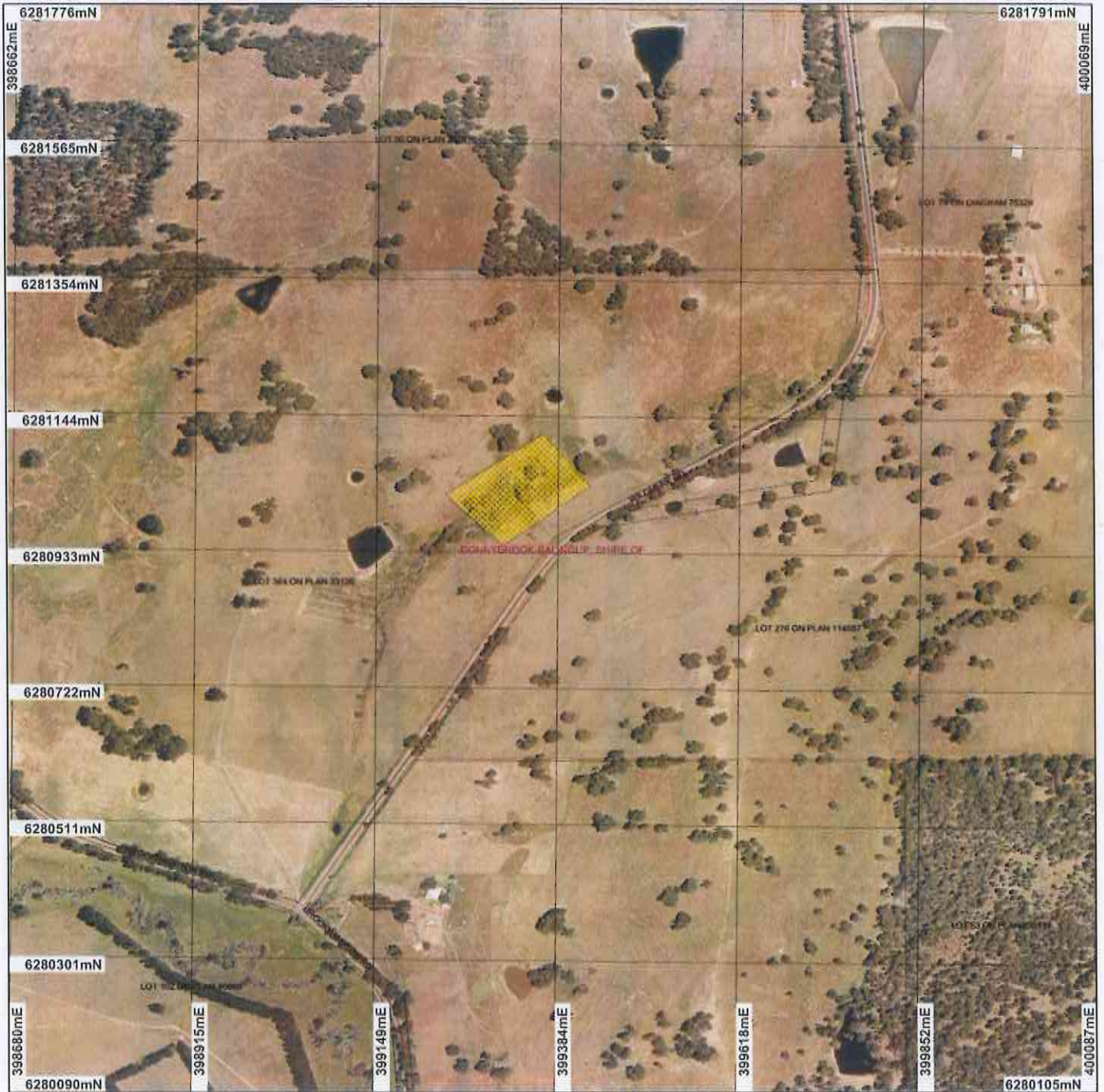
A handwritten signature in cursive script, appearing to read "M Warnock", written over a horizontal line.

M Warnock
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

27 June 2013

Plan 5569/1



LEGEND

- Road Control Lines
- Cadastre
- Local Government Authorities
- Clearing Instruments
- Areas Approved to Clear

Donnybrook Balmorup Shire of
Landgate 2004



Scale 1:8000

(Approximate when reproduced at Letter)

Geocentric Datum Australia 1994

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

M. Warnock Date 27/6/13

M. Warnock
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

Our environment, our future
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* Project Data. This data has not been quality assured. Please contact map author for details.



1. Application details

1.1. Permit application details

Permit application No.: 5569/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: John Clifford Higgins

1.3. Property details

Property: LOT 364 ON PLAN 33126 (House No. 577 BROOKHAMPTON THOMSON BROOK 6239)
Local Government Area: Shire of Donnybrook

1.4. Application

| Clearing Area (ha) | No. Trees | Method of Clearing | For the purpose of: |
|--------------------|-----------|--------------------|---------------------------------|
| 1.5 | | Mechanical Removal | Dam construction or maintenance |

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 27 June 2013

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 1184 is described as medium woodland with fringing jarrah, marri, <i>Eucalyptus rudis</i> and <i>Agonis flexuosa</i> (Shepherd et al, 2001). | The applicant proposes to clear up to 1.5 hectares of native vegetation within Lot 364 on Deposited Plan 33126, Thomson Brook, for the purpose of constructing a marron dam. | Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994) | The condition of the vegetation was established via aerial imagery (Donnybrook Orthomosaic-Landgate 2004). |
| Hedde Vegetation Lowdon Complex (Lo) consists of open forest of <i>Corymbia calophylla</i> , <i>Eucalyptus marginata</i> subsp. <i>marginata</i> and <i>Agonis flexuosa</i> with some <i>Eucalyptus wandoo</i> and occasional <i>Corymbia haematoxylon</i> on slopes. Woodland of <i>Eucalyptus rudis</i> and <i>Melaleuca raphiophylla</i> is located on valley floor in the humid zone (Hedde et al, 1980). | | | |
| Mattiske Vegetation Balingup (BL) Complex consists of open forest of <i>Eucalyptus marginata</i> subsp. <i>marginata</i> and <i>Corymbia calophylla</i> on slopes with woodland of <i>Eucalyptus rudis</i> on the valley floor in the humid zone (Mattiske and Havel, 1998). | | | |

3. Assessment of application against clearing principles

Comments

The applicant proposes to clear up to 1.5 hectares of native vegetation within Lot 364 on Deposited Plan 33126, Thomson Brook, for the purpose of constructing a marron dam. The vegetation under application is in a degraded (Keighery, 1994) condition.

Several rare and priority flora species have been mapped within the local area (10 kilometre radius). Given the largely disturbed condition of the vegetation on site, sparse understorey and small size and distance of the proposed clearing to the closest mapped rare and priority flora species (1.6 and 3.8 kilometres respectively), it is not likely for these species to occur within the application area.

Six threatened fauna species have been recorded in the local area (10 kilometre radius). The small area under application, containing vegetation in a degraded (Keighery, 1994) condition, is not likely to provide significant habitat for conservation significant fauna.

There are no threatened or priority ecological communities mapped within the local area (10 kilometre radius).

Mattiske Vegetation Balingup Complex and Hedde Vegetation Lowdon Complex retain approximately 11 per cent (334 hectares) and 41 per cent (7,055 hectares) of their pre-European vegetation (Hedde et al, 1980 & Mattiske and Havel, 1998). Beard Vegetation Association 1184 retains approximately 41 per cent of its pre-European vegetation within the Jarrah Forest Bioregion (Government of Western Australia, 2013). The 1.5 hectares of vegetation under application, of which is largely in a degraded (Keighery, 1994) condition, is unlikely to represent a significant remnant despite the Balingup complex being extensively cleared.

A minor perennial watercourse runs through the application area. The proposed clearing may cause short-term sedimentation of surface water to this watercourse, however, given the small size of the proposed clearing and that the watercourse is minor in nature, this impact is considered to be minimal.

Given the small size and degraded condition of the application area, it is not likely the proposed clearing will cause appreciable land degradation, or cause or exacerbate the intensity of flooding, beyond the walls of the proposed dam.

The closest conservation area to the proposed clearing is an unnamed Nature Reserve (Class C) located approximately 4.6 kilometres west of the application area. Given the distance to this conservation area it is unlikely the proposed clearing will impact upon the environmental values of this reserve.

Given the above the proposed clearing is at variance to Principle (f), may be at variance to Principle (i) and is not likely to be at variance to any of the other clearing Principles.

Methodology

References:

- Government of Western Australia (2013)
- Keighery (1994)
- Heddle et al (1980)
- Mattiske and Havel (1998)

GIS Databases:

- SAC Biodatasets (accessed May 2013)
- Soils, Statewide
- Hydrography, linear
- Hydrography, hierachy
- DEC Tenure

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

Comments

There is one Aboriginal Site of Significance within the area of proposed clearing. It is the proponent's responsibility to comply with the Aboriginal Heritage Act 1972 and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

The application area is zoned as 'Intensive Farming' under the Town Planning Scheme Zone.

The Shire of Donnybrook - Balingup has no objection to the proposed clearing so long as the application area contains no rare, priority or other conservation significant flora. The Shire further advise that if the marron from the dam are to be sold commercially Planning Consent for Rural Pursuit may be required (Shire of Balingup - Donnybrook, 2013).

The area under application is within the Preston River and Tributaries Surface Water Area as proclaimed under the Rights in Water and Irrigation (RIWI) Act 1914. The Department of Water (DoW, 2013) has advised that any taking or diversion of surface water in this proclaimed area is subject to licensing. Also any interference with the bed or banks of a watercourse in this proclaimed area requires a permit from the DoW. The proponent has been issued with a permit to obstruct or interfere with bed and banks. The DoW advise that once the dam is constructed the proponent must provide the final dimensions and capacity of the new dam to DoW, so that the pending licence to take can be finalised.

No submissions have been received for the proposed clearing.

Methodology

References:

- DoW (2013)
- Shire of Donnybrook - Balingup (2013)

GIS Databases:

- Aboriginal Sites of Significance
- Town Planning Scheme Zones

4. References

- Department of Water (2013). Rights in Water and Irrigation advice for CPS 5569/1. DEC Ref: A630036.
- 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.
- Heddle, 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.
- 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.

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) |