



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 5693/1
File Number: DER2013/000076-1
Duration of Permit: 30 May 2015 to 30 May 2020

PERMIT HOLDER

Delroy Super Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Lot 10080 on Deposited Plan 203079, Channybearup

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 1.27 hectares of native vegetation within the areas hatched yellow on attached Plan 5693/1.

CONDITIONS

1. Type of clearing authorised

The Permit Holder shall not clear any native vegetation after 30 May 2017.

2. Revegetation

The Permit Holder shall establish and maintain *local provenance* species within the areas shaded red on attached Plan 5693/1 in accordance with the following requirements:

- (a) trees shall be established and maintained to an average planting density of 1000 stems per hectare; and
- (b) *planting* is to commence within twelve months of any clearing authorised under this Permit.

3. 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*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

4. Records must 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 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;
 - (ii) the date that the area was cleared; and
 - (iii) the size of the area cleared (in hectares).
- (b) In relation to the *planting* of areas pursuant to condition 2 of this Permit:
 - (i) 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;

- (ii) a description of the *planting* activities undertaken;
- (iii) the number of trees, species composition and density planted; and
- (iv) the date(s) that planting was undertaken.

5. 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 4 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 30 June of each year.
- (c) Prior to 30 February 2020, the Permit Holder must provide to the CEO a written report of records required under condition 4 of this Permit where these records have not already been provided under condition 5(a) of this Permit.

DEFINITIONS

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

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

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 20 kilometres and the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion 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;

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

weed/s means any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in a Department of Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Jane Clarkson
A/SENIOR MANAGER
CLEARING REGULATION

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

30 April 2015

Plan 5693/1

405000



405000

Legend

-  Clearing Instruments Conditions
-  Areas approved to clear
-  Iga
-  Roads
-  Cadastre
-  Virtual Mosaic
- 



1:18,000

MGA 94
Geocentric Datum of Australia 1994

Jane Clarkson Date 30.4.15

Jane Clarkson

Officer with delegated authority under Section 20
of the Environmental Protection Act 1986





1. Application details

1.1. Permit application details

Permit application No.: 5693/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Delroy Super Pty Ltd

1.3. Property details

Property: LOT 10080 ON PLAN 203079, CHANNYBEARUP
Local Government Authority: Shire of Manjimup
DER Region: Warren

1.4. Application

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

1.5. Decision on application

Decision on Permit: Granted
Application:
Decision Date: 30 April 2015

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 3 is described as 'Medium forest; jarrah-marri' (Shepherd et al 2001).	The clearing consists of 1.27 hectares of native vegetation within Lot 10080 on Plan 203079, Channybearup, for the purpose of dam expansion.	Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994). To	The condition of the vegetation under application was determined by aerial imagery.
Mapped Beard vegetation association 1144 is described as 'Tall forest; karri & marri (Corymbia calophylla)' (Shepherd et al 2001).		Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).	
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 1998)			

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 applicant proposes to clear 1.27 hectares of native vegetation for the purpose of dam expansion.

Eight fauna species listed as rare or likely to become extinct under the Wildlife Conservation Act 1950 have been recorded within the local area (10 kilometre radius) being, *Bettongia penicillata* subsp. *ogilbyi* (Woylie, Brush-tailed Bettong), *Calyptorhynchus banksii* subsp. *naso* (Forest Red-tailed Black Cockatoo), *Calyptorhynchus baudinii* (Baudin's Cockatoo), *Calyptorhynchus latirostris* (Carnaby's Cockatoo), *Galaxiella munda* (Western Mud Minnow), *Phascogale tapoatafa* subsp. *tapoatafa* (Southern Brush-tailed Phascogale), *Pseudocheirus occidentalis* (Western Ringtail Possum) and *Setonix brachyurus* (Quokka) (Parks and Wildlife, 2007-). The vegetation under application may provide habitat for fauna however suitable habitat in a better condition is located adjacent to the application area within Big Brook State Forest.

Two priority flora and one rare flora species have been recorded within the local area (10 kilometre radius). One priority 3 species is found on sand and swamps and a priority 1 species is found on littered, organic brown soil in high, open or dense forests (Western Australian Herbarium 1998-). The rare flora species usually inhabits paperbark (*Melaleuca*) and flooded gum (*Eucalyptus rudis*) swamps and flats that are inundated for several months of the year, but may also be found along creeklines in jarrah (*Eucalyptus marginata*) and karri (*E. diversicolor*) (Brown et al 1998). Given intensive surrounding agricultural use and the altered nature of the creek line system it is unlikely that suitable habitat for rare or priority flora is located within the application area.

The vegetation to be cleared is in a degraded to good (Keighery 1994) condition and is well represented in the local area (approximately 65 per cent), and therefore is not likely to consist of an area of high biodiversity.

Given the above, the clearing as proposed is not likely to be at variance to this principle.

Methodology

References:

- Brown et al (1998)
- Parks and Wildlife (2007-)
- Keighery (1994)
- Western Australian Herbarium (1998)

GIS Database:

- SAC Bio data sets – accessed April 2015

(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

Eight fauna species listed as rare or likely to become extinct under the Wildlife Conservation Act 1950 have been recorded within the local area (10 kilometre radius) being, *Bettongia penicillata* subsp. *ogilbyi* (Woylie, Brush-tailed Bettong), *Calyptorhynchus banksii* subsp. *naso* (Forest Red-tailed Black Cockatoo), *Calyptorhynchus baudinii* (Baudin's Cockatoo), *Calyptorhynchus latirostris* (Carnaby's Cockatoo), *Galaxiella munda* (Western Mud Minnow), *Phascogale tapoatafa* subsp. *tapoatafa* (Southern Brush-tailed Phascogale), *Pseudocheirus occidentalis* (Western Ringtail Possum) and *Setonix brachyurus* (Quokka) (Parks and Wildlife 2007-).

The vegetation under application may provide habitat for fauna however the vegetation to be cleared is well represented in the local area (approximately 65 per cent) and suitable habitat in a better condition is located adjacent to the application area within Big Brook State Forest. Therefore the vegetation proposed to be cleared is not likely to comprise of significant habitat for fauna indigenous to Western Australia.

Based on the above, the proposed clearing is not likely to be at variance to this principle.

Methodology

References:

- Parks and Wildlife (2007)

GIS Database:

- DPaW, Tenure
- SAC Bio data sets – accessed April 2015

(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

One record of rare flora is located approximately 8.3 kilometres south west of the application area.

This species of rare flora usually inhabits paperbark (*Melaleuca*) and flooded gum (*Eucalyptus rudis*) swamps and flats that are inundated for several months of the year, but may also be found along creeklines in jarrah

(*Eucalyptus marginata*) and karri (*E. diversicolor*) (Brown et al 1998) and on sandy loam (Western Australian Herbarium (1998-)).

Given intensive surrounding agricultural use and the altered nature of the creek line system it is unlikely that suitable habitat for this species is located within the application area.

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

Methodology References:
 - Brown et al (1998)
 - Western Australian Herbarium (1998-)

GIS Database:
 - SAC Bio data sets – accessed April 2015

(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) have been mapped within the local area (10 kilometre radius). The closest record of a TEC is 'Scott River Ironstone Association' located approximately 45 kilometres west of the area under application.

Given the distance to the closest TEC it is unlikely the vegetation proposed to be cleared is necessary for the maintenance of this TEC. Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology GIS Database:
 - SAC Bio data sets – accessed April 2015

(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 area under application is located within the Warren Interim Biogeographic Regionalisation of Australia (IBRA) bioregion. This IBRA bioregion has approximately 80 per cent of its Pre European vegetation extent remaining (Government of Western Australia 2013).

The application area is mapped as Beard Vegetation Associations 3 and 1144 and Mattiske Vegetation Complex PM1, which retain approximately 79, 80 and 67 per cent of their respective pre-European extents within the Warren IBRA bioregion (Government of Western Australia 2013, Mattiske and Havel 1998).

Aerial imagery indicates that the local area (10 kilometre radius) surrounding the area under application retains approximately 65 per cent vegetation cover.

Given the above the clearing as proposed is not likely to be significant as a remnant of native vegetation in an area that has been extensively cleared.

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

	Pre-European (ha)	Current Extent (ha)	Remaining (%)	Extent in DPaW Managed Lands (%)
IBRA Bioregion*				
Warren	833,985	664,436	80	84
Shire*				
Shire of Manjimup	697,369	586,906	84	93
Beard Vegetation Association in Bioregion*				
3	250,263	196,773	79	86
1144	159,668	128,224	80	92
Mattiske Vegetation Complex ***				
PM1	25,801	17,372	67	59

* Government of Western Australia (2013)

** Mattiske (1998)

- Methodology** References:
- Government of Western Australia (2013)
 - Matiske and Havel (1998)
- GIS Database:
- Donnelly 50cm Orthomosaic - Landgate
 - NLWRA, Current Extent of Native Vegetation
 - SAC Bio data sets – accessed April 2015

(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**
A minor watercourse intersects the application area. Two major watercourses are located within the local area (10 kilometre radius). Carey Creek is located 5.8 kilometres north west of the application area. Lefroy Creek is located 5.6 km south east of the application area.

Given a watercourse intersects the application area the vegetation proposed to be cleared is considered to be growing in association with a watercourse.

However, impacts to this minor watercourse from the proposed clearing are likely to be minimal, given the applicant has proposed to revegetate 2.6 hectares of native vegetation with local provenance species on the holding.

Given the above, the clearing as proposed is at variance to this principle.

- Methodology** GIS Database:
- Hydrology, 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 has been mapped as soil type UC1 which is described as steep hilly to hilly dissected lateritic plateau with steep valley side slopes: chief soils are hard, and also sandy, neutral, and also acidic, yellow and yellow mottled soils, with conspicuous but relatively smaller areas of red earths. Associated are areas of block laterite, gravelly and bouldery and soils on tops of rises and their colluvial slopes; some areas of leached sands soils on terraces of major streams (Northcote et al 1960 - 1968).

Wind erosion is unlikely on the type of soil located within the application area. Given the small size of the area under application and that the purpose of clearing is the expansion of a dam the clearing as proposed is not likely to cause water erosion.

Given the above the clearing as proposed is not likely to cause appreciable land degradation and therefore is not likely to be at variance to this principle.

- Methodology** References:
- Northcote et al (1968)
- GIS Database:
- Soils, statewide

(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**
Numerous conservation areas are located within the local area (10 kilometre radius). The application area is located adjacent to Big Brook State Forest.

The clearing as proposed may increase the spread of weeds and dieback into the adjacent conservation area. Weed and dieback management practices will help mitigate this risk.

Based on the above, the clearing as proposed may be at variance to this principle.

- Methodology** GIS Databases:
- DPaW, Tenure
 - Hydrology, linear

(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 at variance to this Principle

A minor watercourse intersects the application area. Two major watercourses are located within the local area (10 kilometre radius). Carey Creek is located 5.8 kilometres north west of the application area. Lefroy Creek is located 5.6 kilometres south east of the application area.

The removal of native vegetation may increase sedimentation into the intersecting and nearby watercourses. However the purpose of clearing is to expand a dam therefore sedimentation is likely to be short term during construction.

The proposed clearing site lies within the 1 September 1978 Country Areas Water Supply Act 1947 (CAWS Act) gazetted Warren River Water Reserve. The Lot is not currently located in a Public Drinking Water Source area hence no priority source protection area has been assigned or is proposed (DoW 2013). The Warren River catchment has however been subject to CAWS Act native vegetation clearing controls since December 1978 to prevent salinisation of water resources (DoW 2013).

No CAWS Act compensation has been paid to retain native vegetation on the current 33.1 hectare Delroy Super Pty Ltd holding. The Delroy Super Pty Ltd holding is located in Zone D, a low 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 subject to the retention of native vegetation on at least 10 per cent of the holding area (DoW 2013).

Aerial imagery from 2012 suggests there is only approximately 3.2 hectares (9.5 per cent) of native vegetation on the applicants 33.1 hectare holding (Dow 2013). This is less than the recommended retention of native vegetation on at least 10 per cent of a holding area and therefore the clearing may lead to increased salinization.

Based on the above, the clearing as proposed is at variance to this principle.

The Department of Water (DoW 2013) has advised a permit could be granted for the application if a revegetation offset, using local provenance species, of twice the permitted area is established and maintained in perpetuity, on the holding. The applicant has advised that 2.6 hectares, being slightly more than a 2:1 offset ratio, of degraded land adjacent to the proposed clearing area will be fenced off from stock and revegetated with local provenance species to mitigate salinity in the catchment.

Methodology References:
- DoW (2013)

GIS Databases:
- Hydrology, 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

Given the small size of the area under application the clearing as proposed is not likely to cause or exacerbate the incidence or intensity of flooding. The clearing as proposed is not likely to be at variance to this principle.

Methodology GIS Databases:
- Topographic contours, statewide

Planning instruments and other relevant matters.

Comments The applicant proposes to clear 1.27 hectares of native vegetation for the purpose of dam expansion.

The proposed clearing site lies within the 1 September 1978 Country Areas Water Supply Act 1947 (CAWS Act) gazetted Warren River Water Reserve. The Lot is not currently located in a Public Drinking Water Source area hence no priority source protection area has been assigned or is proposed (DoW 2013). The Warren River catchment has however been subject to CAWS Act native vegetation clearing controls since December 1978 to prevent salinisation of water resources (DoW 2013).

No CAWS Act compensation has been paid to retain native vegetation on the current 33.1 hectare Delroy Super Pty Ltd holding. The Delroy Super Pty Ltd holding is located in Zone D, a low 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 subject to the retention of native vegetation on at least 10 per cent of the holding area (DoW 2013). 2012 imagery suggests there is only approximately 3.2 hectares (9.5 per cent) of native vegetation on the applicants 33.1 hectare holding (DoW 2013). The applicant has advised that 2.6 hectares, being slightly more than a 2:1 offset ratio, of degraded land adjacent to the proposed clearing area will be fenced off from stock and revegetated with local provenance species to mitigate salinity in the catchment.

The application area is located within the Warrer River and Tributaries surface water area proclaimed under the Rights in Water and Irrigation Act 1914 (RIWI Act). DoW (2013) has advised in order to construct a new on-stream dam a RIWI Act Permit to 'interfere with bed and banks' is required and an amendment to an existing RIWI Act Licence to 'take water' are required. The applicant was issued a permit to 'interfere with bed and banks' (PMB178840) from the Department of Water on the 7 April 2015 (DoW, 2015). The applicant has advised that they have also submitted an application to amend their Surface Water Licence (SWL70261) which is being held pending the results of a licenced survey to determine the dam volume following the completion of dam construction.

The Shire of Manjimup (2013) has advised that Lot 10080 is zoned by Local Planning Scheme No. 4 as 'Priority Agriculture' and planning approval for clearing of vegetation is not required in this zone. It is noted that the purpose of the clearing is to expand an existing dam. If the expanded edge of the dam or dam wall is to be less than 20 metres from any lot boundary, Shire planning approval for the dam works will be required.

Methodology References:

- DoW (2013)
- DoW (2015)
- Shire of Manjimup (2013)

4. References

- Brown, A, Thomson-Dans, C, and Marchant, N. (1998) Western Australia's Threatened flora. Department of Environment and Conservation. Perth, Western Australia.
- Department of Parks and Wildlife (2007 -) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dec.wa.gov.au/>. Accessed April 2015.
- DoW (2013) Advice for Clearing Permit CPS 5693/1. Department of Water, Land and Clearing (CAWSA) Management. Western Australia. (DER Ref: A659564).
- DoW (2015) Permit to 'interfere with bed and banks' for CPS 5693/1. Department of Water. Western Australia (DER Ref: A898706).
- 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.
- 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. Technical Report 249. Department of Agriculture Western Australia, South Perth.
- Shire of Manjimup (2013) Advice for Clearing Permit CPS 5693/1. Western Australia (DER Ref: A657173).
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Environment and Conservation. <http://florabase.dec.wa.gov.au/> (Accessed April 2015).