



## CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

<b>Purpose Permit number:</b>	CPS 5703/1
<b>Permit Holder:</b>	Peter Damien McGinty
<b>Duration of Permit:</b>	From 8 November 2013 to 8 November 2023

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

### PART I—CLEARING AUTHORISED

- 1. Purpose for which clearing may be done**  
Clearing for the purpose of silvicultural thinning.
- 2. Land on which clearing is to be done**  
Lot 7694 on Deposited Plan 140426, Yanmah  
Fryers Road reserve, Yanmah (PIN 11292390)  
Mitchell Dean Road reserve, Yanmah (PIN 11588990)  
Doaks Road reserve, Yanmah (PIN 11292390)
- 3. Area of Clearing**  
The Permit Holder shall not clear more than 32.4 hectares of native vegetation within the area hatched yellow on attached Plan 5703/1.
- 4. Period in which clearing is authorised**  
The Permit Holder shall not clear any native vegetation after 8 November 2018.
- 5. Type of clearing authorised**  
To the extent authorised under authorised activity of this Permit, the Permit Holder may undertake the following activities within the area cross-hatched yellow on Plan 5703/1:
  - (a) clearing and burning of *understorey*;
  - (b) *thinning* of Marri (*Corymbia calophylla*), Blackbutt (*Eucalyptus patens*) and Jarrah (*Eucalyptus marginata*) trees; and
  - (c) *culling* and burning of unsaleable trees.

### PART II—MANAGEMENT CONDITIONS

- 6. Vegetation management**
  - (a) Prior to undertaking any clearing authorised under this Permit, an *environmental specialist* must determine the species composition, structure and density of the *understorey* of areas proposed to be *thinned*;

- (b) The Permit Holder must retain a minimum of two *habitat trees* within the area of clearing authorised under this Permit in each hectare authorised under this Permit.
- (c) A minimum retention rate of 14 m<sup>2</sup>/ha *basal area* is required within the area of clearing authorised under this Permit;
- (d) Prior to undertaking any clearing authorised under this Permit, the Permit Holder must exclude all *stock* from the areas subject to *thinning* activities;
- (e) Within one month of 8 November 2018, the Permit Holder must *rehabilitate* any *log landings* established within native vegetation by scarifying the soil surface to reduce compaction and facilitate natural regeneration;
- (f) Within two years of 8 November 2018, the Permit Holder must:
  - (i) engage an *environmental specialist* to determine the species composition, structure and density of the *understorey* of areas subject to *thinning*; and
  - (ii) where in the opinion of an *environmental specialist*, there is evidence that *understorey* will not recover and develop towards its pre-clearing composition, structure and density determined under condition 6(a), the Permit Holder must undertake *remedial action* at an *optimal time* within the next 12 months to ensure re-establishment of *understorey* prior to expiry of this Permit.

#### 7. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the areas shall be inspected by a *fauna specialist* who shall identify *habitat tree(s)* suitable to be utilised as habitat by fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice*.
- (b) Prior to undertaking any clearing authorised under this Permit, *habitat tree(s)* identified by condition 7(a) shall be inspected by a *fauna specialist* for the presence of fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice*.
- (c) Where fauna are identified in relation to condition 7(b) of this Permit, the Permit Holder shall ensure that no taking of identified fauna occurs unless approved by the CEO of the Department of Parks and Wildlife.

### PART III - RECORD KEEPING AND REPORTING

#### 8. 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 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; and
  - (iv) the size of the area cleared (in hectares).
- (b) In relation to vegetation management pursuant to condition 6 of this Permit:
  - (i) the species and number per hectare of *habitat trees* retained;
  - (ii) the location of *habitat trees* retained, 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) monitoring undertaken to ensure that the specified minimum *basal area* is retained;
  - (iv) photographs of the *understorey* taken at one year, two years and three years after completing clearing authorised under this Permit; and
  - (v) a detailed description of the nature and extent of any *remedial actions* undertaken.

- (c) In relation to fauna management pursuant to condition 7 of this Permit:
  - (i) the location of each habitat tree identified, 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; and
  - (ii) the species name of fauna reasonably likely to utilise, or that have been observed utilising, the habitat/*habitat tree(s)*.

## 9. 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 8 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) If no clearing authorised under this Permit was undertaken between 1 July to 30 June of the preceding financial 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 8 August 2023, the Permit Holder must provide to the CEO a written report of record required under condition 8 of this Permit where these records have not already been provided under condition 9(a) of this Permit.

## DEFINITIONS

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

**basal area** is the method of expression of tree cover density in an area where the total area of tree trunk, measured at average adult human breast height, is expressed as square metres per hectares of land area;

**culled/ing** means the selective removal and/or killing of unsaleable trees for *thinning*, using methods including notching, felling or machine pushing;

**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;

**environmental specialist:** means a person 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, or who is approved by the CEO as a suitable environmental specialist;

**fauna specialist:** means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*;

**habitat tree** means trees that have a diameter, measured at 1.5 metres from the base of the tree, of 50 centimetres or greater, that contains or has the potential to develop hollows or roosts suitable for native fauna;;

**local provenance** means native vegetation seeds and propagating material from natural sources within 50 kilometres and the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion of the area cleared.

**log landing/s** means an area established for the purpose of stockpiling commercially harvested trees, to enable loading for collection;

**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;

**remedial action/s** means for the purpose of this Permit, any activity that is required to ensure successful re-establishment of *understorey* to its pre-clearing composition, structure and density, and may include a combination of soil treatments and *revegetation*;

**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.

**stock** means the horses, cattle, sheep, pigs and other non-indigenous grazing animals kept or bred on a property;

**thinned/ing** describes a silvicultural activity to promote the growth of selected trees by removing competing trees;

**understorey** means, for the purpose of this Permit, all native vegetation that does not include trees to be *culled* or subject to harvest.

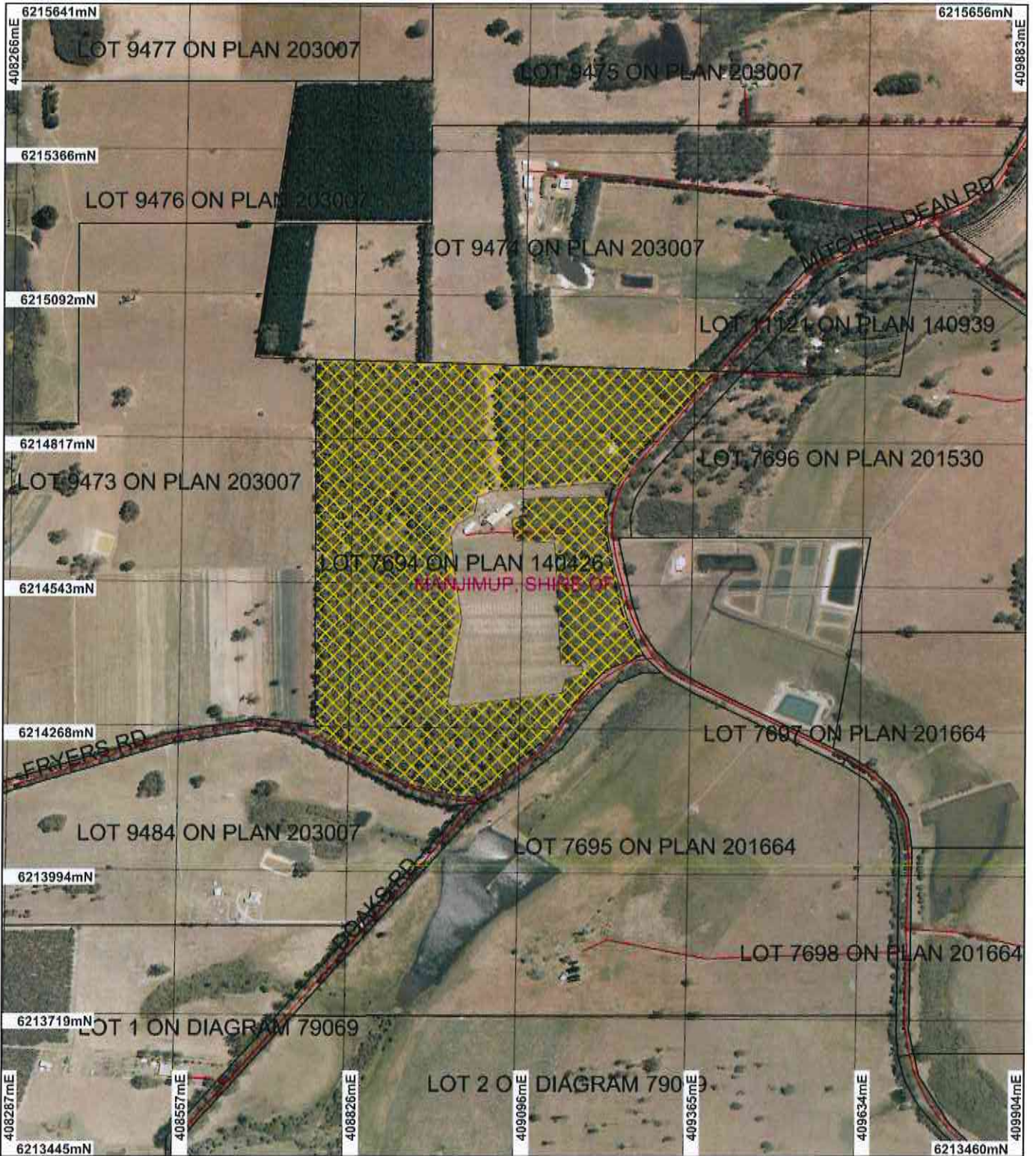


M Warnock  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

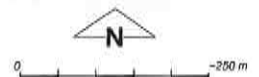
9 October 2013

# Plan 5703/1



## LEGEND

- Road Centrelines
- Control Lines
- Local Government Authorities\_1
- Clearing Instruments
- Areas Approved to Clear
- Manjimup 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.

*M Warnock* Date 9/10/13

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.



Government of Western Australia  
Department of Environment Regulation

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# Clearing Permit Decision Report

Government of Western Australia  
Department of Environment Regulation

## 1. Application details

### 1.1. Permit application details

Permit application No.: 5703/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Peter Damien McGinty

### 1.3. Property details

Property: LOT 7694 ON PLAN 140426 (House No. 326 MITCHELLDEAN YANMAH 6258)  
Local Government Area: Shire of Manjimup  
Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
32.4		Mechanical Removal	Timber Harvesting

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 9 October 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
The application area has been mapped as Beard vegetation association's (Shepherd et al 2001):	The application is to clear 32.4 hectares of native vegetation within Lot 7694 on plan 140426, Mitchell Dean Road reserve and Fryers Road reserve for the purpose of silvicultural thinning.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	The vegetation condition has been determined by aerial imagery (Manjimup 50cm - Orthomosaic Landgate 2007) and supporting information supplied by the applicant (McGinty 2013).
3: Medium forest; jarrah-marri.		To	
27: Low woodland, paperbark ( <i>Melaleuca</i> sp.).		Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	
1144: Tall forest; karri & marri ( <i>Corymbia calophylla</i> ).			
Mattiske vegetation complex's (Mattiske and Havel 1998):			
BE1: Tall open forest of <i>Corymbia calophylla</i> - <i>Eucalyptus marginata</i> subsp. <i>marginata</i> on uplands in perhumid and humid zones.			
YN1: Mixture of tall open forest of <i>Eucalyptus diversicolor</i> and tall open forest of <i>Corymbia calophylla</i> - <i>Eucalyptus patens</i> - <i>Eucalyptus marginata</i> subsp. <i>marginata</i> over <i>Agonis flexuosa</i> and <i>Agonis juniperina</i> on valleys in perhumid and humid zones.			

## 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 application is to selectively clear 32.4 hectares of native vegetation for the purpose of silvicultural thinning.  
  
The proposed clearing is predominately Jarrah (*Eucalyptus marginata*), Blackbutt (*Eucalyptus patens*) and Marri (*Corymbia calophylla*) regrowth from logging operations approximately 60 years ago (McGinty 2013). There has not been stock grazing the area and the understorey is moderate to dense. Blackberry infestations are present within much of the application area.

Five priority flora species have been recorded within the local area (10 kilometre radius). The proposed clearing is for selective thinning of Jarrah, Marri and Blackbutt however ground cover may be damaged as a result of the proposed works. Given the habitat preferences of the priority flora, selective nature of clearing and management actions outlined in the management plan for the works (McGinty 2013), the application is unlikely to impact the conservation status of priority flora.

Numerous fauna species of conservation significance have been recorded within a 20 kilometre radius of the application area. As the application is for thinning rather than broad scale clearing, the trees retained after clearing will provide fauna habitat into the future. The applicant has advised that habitat trees will be retained at a rate of two per hectare (McGinty 2013). In addition, the vegetation within the local area (10 kilometre radius) is well represented with approximately 70 percent of its pre-European vegetation remaining. The local area contains similar habitat as the area under application, with much of this vegetation reserved for conservation.

Given that the local area has a high level of vegetation remaining and that the application is for silvicultural thinning as opposed to broad scale clearing, it is not likely to comprise a high level of biodiversity or impact upon the biological diversity of the area. Therefore, the application is not likely to be at variance to this principle.

**Methodology** References:  
McGinty (2013)  
Keighery (1994)

GIS Database:  
- Manjimup 50cm Orthomosaic - Landgate 2007  
- SAC Bio Datasets - accessed September 2013

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

Numerous fauna species listed as rare or likely to become extinct under the Wildlife Conservation Act 1950 including *Calyptorhynchus banksii* subsp. *naso* (forest red-tailed black-cockatoo), *Calyptorhynchus baudinii* (Baudin's cockatoo), *Calyptorhynchus latirostris* (Carnaby's cockatoo), *Pseudocheirus occidentalis* (western ringtail possum), *Phascogale tapoatafa* subsp. *tapoatafa* (southern brush-tailed phascogale) and *Setonix brachyurus* (quokka) have been recorded within 20 kilometres of the application area (DPaW 2007-).

As the application is of significant size and involves the removal of Jarrah (*Eucalyptus marginata*), Blackbutt (*Eucalyptus patens*) and Marri (*Corymbia calophylla*) it is likely to contain a number of habitat trees.

The applicants Native Forest Management Plan states that approximately 2 habitat trees per hectare will be retained (McGinty 2013). Fauna management practices will ensure that habitat trees will be identified and inspected for fauna species and identified fauna relocated if required.

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

**Methodology** References:  
McGinty (2013)  
DPaW (2007-)

GIS Database:  
- Manjimup 50cm Orthomosaic - Landgate 2007

**(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.**

**Comments Proposal is not at variance to this Principle**

Two records of a rare flora species have been recorded within the local area (10 kilometre radius). The closest record being approximately 7 kilometres north of the proposed clearing area.

This species is described as a tuberous, perennial herb found within margins of winter-wet flats, swamps, & creek lines (Western Australian Herbarium 1998-).

The application area consists of Marri, Jarrah and Blackbutt regrowth in very good to degraded (Keighery 1994) condition. No watercourses are mapped within or adjoining the application area. Therefore, the area under application is not likely to contain this species.

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

**Methodology** References:  
Keighery (1994)  
Western Australian Herbarium (1998-)

GIS Database:  
 -SAC Bio Datasets - accessed September 2013  
 -Soils, statewide

**(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**  
 There are no Threatened Ecological Communities (TEC) mapped within 50 kilometres of the application area.  
  
 Given the distance to the closest know TEC, the proposed clearing is not likely to be at variance to this principle.

**Methodology**    GIS Database:  
 -SAC Bio Datasets - accessed September 2013

**(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 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 79 percent of its Pre European vegetation extent remaining (Government of Western Australia 2013). The application occurs within the Shire of Manjimup which has approximately 84 per cent of its pre- European vegetation extent remaining (Government of Western Australia 2013).  
  
 The vegetation under application is mapped as Beard Vegetation Associations 3, 27 and 114 which retain above 70 percent of their Pre European extent in the Warren bioregion (Government of Western Australia 2013).  
  
 The vegetation under application is also mapped as Mattiske Vegetation Complexes BE1 and YN1 which have approximately 84 and 81 percent of their Pre European extent remaining respectively (Mattiske and Havel 1980).  
  
 Digital imagery (Manjimup 50cm Orthomosaic - Landgate 2007) indicates that the local area (10 kilometre radius) surrounding the area under application retains approximately 70 percent vegetation cover.  
  
 The Beard vegetation association retains more than the threshold level (30 percent) recommended in the National Objectives and Targets for Biodiversity Conservation, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia 2001).  
  
 Given the above, the vegetation under application is not a significant remnant in an extensively cleared landscape.  
  
 Therefore, the proposed clearing is not at variance to this principle.

	Pre-European (ha)	Current Extent Remaining (ha)	Remaining (%)	Extent in DEC Managed Lands (%)
IBRA Bioregion* Warren	833,985	664,435	79	84
Shire* Shire of Manjimup	697,369	586,906	84	93
Beard Vegetation Association in Bioregion*				
3	69,118	54,547	78	82
27	70,203	52,409	74	88
114	159,668	128,224	80	92
Mattiske Vegetation Complex**				
BE1	76,781	64,556	84	78
YN1	19,512	15,993	81	75

**Methodology**    Reference:  
 Commonwealth of Australia (2001)  
 \*Government of Western Australia (2013)  
 \*\*Mattiske and Havel (1998)

GIS Databases:  
 - IBRA Australia  
 - Local Government Authority  
 - Manjimup 50cm Orthomosaic - Landgate 2007



- Pre-European vegetation
- NLWRA, Current 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 not at variance to this Principle**

No watercourses or wetlands have been mapped within or adjacent to the application area. The closest mapped watercourse (minor and non-perennial) falls 100 metres from the application area.

Given this the proposed clearing is not at variance to this principle.

**Methodology** GIS Databases:  
- 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 at variance to this Principle**

The application is for silvicultural thinning and the proponent has committed to retaining a minimum basal area of 14 meters squared per hectare (McGinty 2013). Given the proposed clearing is for thinning and not broad scale clearing, the proposal is not likely to cause appreciable land degradation.

Given this, the proposed clearing is not at variance to this clearing principle.

**Methodology** References:  
McGinty (2013)

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 is not at variance to this Principle**

The application area falls approximately three kilometres from state forest to the north and south as well as approximately five kilometres to the west. As the clearing proposed is for silvicultural thinning it is unlikely that it will sever any ecological linkages to these conservation areas.

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

**Methodology** GIS Databases:  
-DEC Tenure

**(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 at variance to this Principle**

The application area falls within the unassigned Public Drinking Water Source area of 'Donnelly River Water Reserve' catchment area covered by the Country Areas Water Supply Act, 1947.

No watercourses or wetlands have been mapped within or adjacent to the application area.

The Department of Water has advised that the main risk to water quality from the proposed clearing is turbidity following soil disturbance. As there is no watercourses to convey this material downstream the risk of impacts to water quality are low (DOW 2013).

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

**Methodology** Reference:  
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 at variance to this Principle**

Given the application is for silvicultural thinning and a minimum basal area of 14 meters squared per hectare will be maintained (McGinty 2013), the proposal is not likely to cause or exacerbate the incidence or intensity of flooding.

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

**Methodology** Reference:  
McGinty (2013)

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

**Comments**

The Shire of Manjimup has advised that there is no planning or other matters which would affect the proposal (Shire of Manjimup, 2013a).

The Shire of Manjimup has given permission for the applicant to access and clear within the road reserve (Shire of Manjimup, 2013b).

A Commercial Producer's licence under the Wildlife Conservation Act 1950 from Department of Parks and Wildlife (DPaW) is required for the purpose of selling harvested logs. This licence has been applied for (DPaW 2013).

**Methodology** Reference:  
Shire of Manjimup (2013a)  
Shire of Manjimup (2013b)

**4. References**

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- DoW (2013) Advice for Clearing Permit CPS 5703/1 - PD McGinty, Lot 7694 on plan 140426, Yanmah. Department of Water, Western Australia. (DEC Ref: A671234)
- DPaW (2007 -) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dec.wa.gov.au/>. Accessed 20/7/2012
- DPaW (2013) Advice for Clearing Permit CPS 5703/1 - PD McGinty, Lot 7694 on plan 140426, Yanmah. Department of Parks and Wildlife. Western Australia. (DEC Ref: A677464)
- 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.
- McGinty (2012) Native Forest Management Plan. Western Australia. (DER Ref:A651030)
- 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 (2013a) Response to advice request for clearing permit application CPS 5703/1. Shire of Manjimup Western Australia. (DEC Ref: 657151)
- Shire of Manjimup (2013b) Advice submitted in support of clearing permit applicatino CPS 5703/1. Shire of Manjimup Western Australia. (DEC Ref: 678107)
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Environment and Conservation. <http://florabase.dec.wa.gov.au/> (Accessed September 2013).

**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)