



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 5969/1  
File Number: DER2014/000105-1  
Duration of Permit: 28 February 2015 to 28 February 2017

### PERMIT HOLDER

Henry Thomas Reynolds  
Carol Jean Reynolds

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 472 on Deposited Plan 301157, Tenterden

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 3.5 hectares of native vegetation within the area shaded yellow on attached Plan 5969/1.

### CONDITIONS

#### 1. 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;
- (c) 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;

**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;

**weed/s** means any plant -

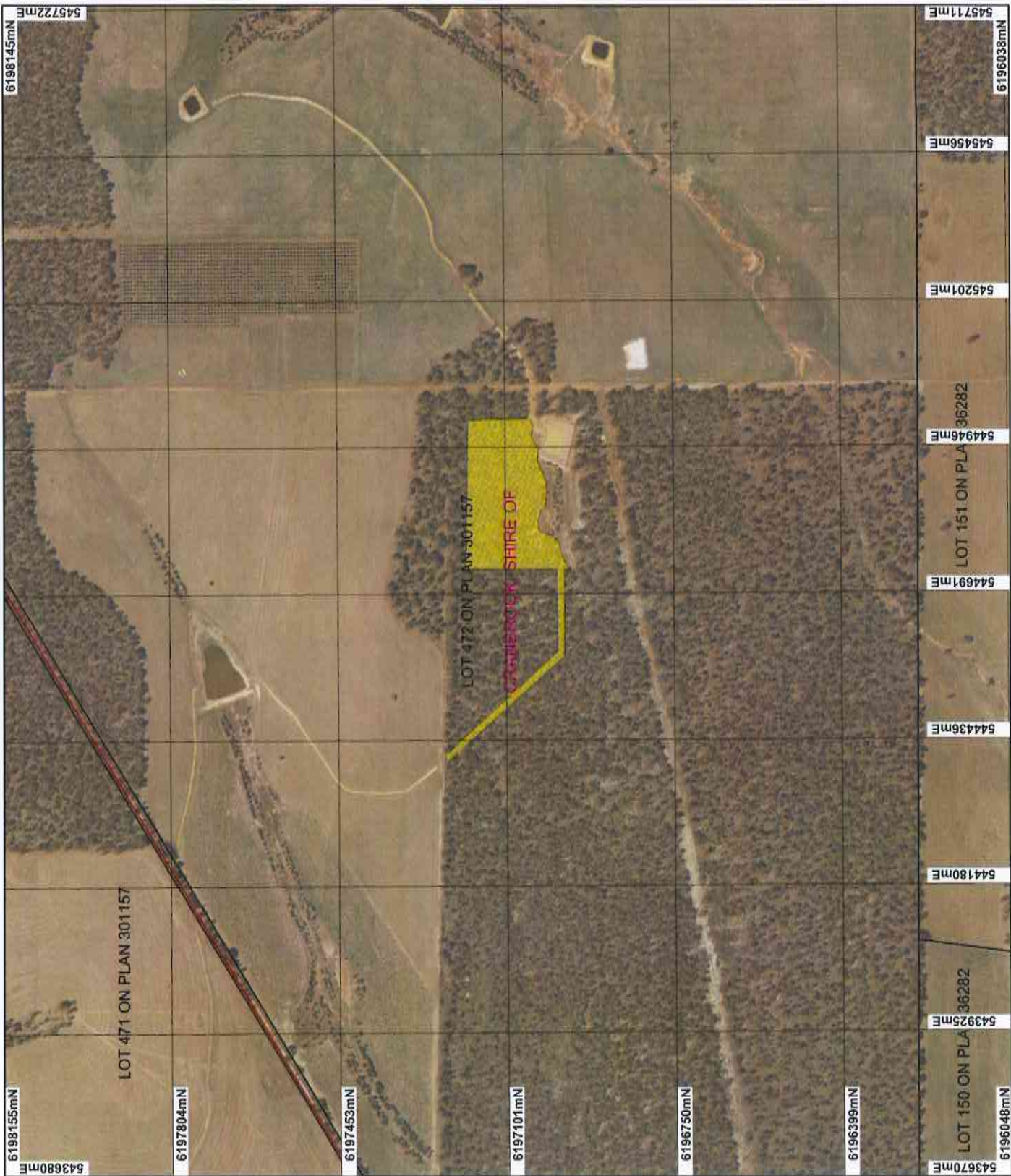
- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in a Department of Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

M Warnock  
SENIOR MANAGER  
CLEARING REGULATION

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

29 January 2015

# Plan 5969/1



## LEGEND

- Road Centrelines
- Cadastre for labelling
- Local Government Authorities
- Clearing Instruments\_1
- Areas Approved to Clear
- Frankland 50cm Orthomosaic - Landgate 2010

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



0 100 200 300 m

Scale 1:10000

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

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

*M. Wainman* Date 29/1/15

M. Wainman

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.: 5969/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Henry Thomas and Carol Jean Reynolds

### 1.3. Property details

Property: LOT 472 ON PLAN 301157 ( TENTERDEN 6322)  
Local Government Area: Shire of Cranbrook

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 29 January 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 968 is described as medium woodland; jarrah, marri and wandoo (Shepherd et al, 2001).	The applicant proposes to clear 3.5 hectares of native vegetation for the purpose of constructing a dam and drainage.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The description and condition of the vegetation under application was determined by a Land Degradation Assessment report (Commissioner of Soil and Land Conservation, 2014) and by a site inspection undertaken by Department of Environment Regulation staff (DER, 2014).

## 3. Assessment of application against clearing principles

### Comments

The original application was to clear 4.5 hectares of native vegetation within Lot 472 on Deposited Plan 301157, Tenterden, for the purposes of constructing a dam. The applicant has amended the application and reduced the size of the clearing to 3.5 hectares in order to address the environmental impacts identified in the preliminary assessment.

The vegetation under application varies from a good to very good (Keighery 1994) condition (Commissioner of Soil and Land Conservation, 2014; DER, 2014).

There are numerous records of priority flora and four rare flora species mapped within a 10 kilometre radius of the application. However, it is unlikely that these species would occur within the application area given the different vegetation association and soil type as well as distance from the site.

Nine 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), including Carnaby's cockatoo (*Calyptorhynchus latirostris*), Baudin's cockatoo (*Calyptorhynchus baudinii*), forest red-tailed black-cockatoo (*Calyptorhynchus banksii* subsp. *naso*) and southern brush-tailed phascogale (*Phascogale tapoatafa* subsp. *tapoatafa*). The area under application is mapped as Beard Vegetation Association 968 which is described as medium woodland comprising jarrah, marri and wandoo. This vegetation type may provide suitable habitat for Carnaby's cockatoo, Baudin's cockatoo, forest red-tailed black cockatoo and southern brush-tailed phascogale. The proposed clearing area is mapped as a Carnaby's breeding habitat.

A site inspection of the original 4.5 hectare application area undertaken by DER (2014) determined that the Eucalyptus species within the application area may contain value for foraging habitat for the three above-mentioned species of black cockatoo. The applicant has since reduced the application area to 3.5 hectares. Given the application is surrounded by a large remnant of vegetation that is in good condition and may provide potential foraging habitat, the vegetation under application is not likely to represent significant habitat for these or other fauna species.

The Department of Parks and Wildlife (2014) has advised that the vegetation under application constitutes potential habitat for the southern brush-tailed phascogale. This species prefers eucalypt habitat with hollow-bearing trees as identified in the application area (Parks and Wildlife, 2014). A site inspection has revealed small hollows were present in several jarrah trees within the application area that could be of a suitable size for southern brush-tailed phascogales (DER, 2014).

The applicant has reduced the application area by 25 per cent in order to minimise the impacts of the proposed clearing on potential foraging habitat for the three black cockatoo species and breeding habitat for the southern brush-tailed phascogale.

There are no threatened ecological communities mapped within a 10 kilometre radius of the application.

The Beard vegetation association to be cleared is well represented in the Jarrah Forest Bioregion (approximately 50 per cent of pre European vegetation remaining), however the local area (10 kilometre radius) is extensively cleared with 20 per cent vegetation remaining. Given the vegetation proposed to be cleared is not likely to provide significant foraging or breeding habitat for fauna and there is a large remnant of vegetation adjacent to the area largely intact, the vegetation under application is not considered to be a significant remnant of native vegetation. The local area has, however, been extensively cleared and therefore the proposed clearing may be at variance to this principle.

The disturbance caused by the proposed clearing will increase the risk of weeds and dieback spreading into adjacent remnant vegetation. Weed and dieback management practices will help mitigate this risk.

The application area is approximately 200 metres from the nearest mapped watercourse and therefore is not likely to contain riparian vegetation.

Given the distance to the nearest conservation reserve (four kilometres), it is unlikely that the proposed clearing will impact upon the environmental values of this reserve.

The Commissioner of Soil and Land Conservation (2014) concluded that the risk of land degradation or flooding resulting from the proposed clearing is low.

Advice provided by the Department of Water (DoW, 2014) concluded that due to the area being high in the landscape and contained within a buffer of native vegetation, it is unlikely that the clearing will result in any negative impact on water quality.

The assessment of the proposed clearing identified that the clearing is not likely to be at variance to the clearing principles.

#### Methodology

##### References

- Keighery (1994)
- DER (2014)
- Parks and Wildlife (2014)
- DoW (2014)
- Commissioner of Soil and Land Conservation (2014)

##### GIS Databases

- Parks and Wildlife tenure
- Hydrography, linear DOW
- NWLRA, Extent of Native Vegetation
- SAC Biodatasets - accessed January 2015

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

##### Comments

The original application was to clear 4.5 hectares of native vegetation for the purposes of constructing a dam. The applicant has amended the application and reduced the size of the clearing to 3.5 hectares in order to address the environmental impacts identified in the preliminary assessment.

DoW (2014a) has advised that the proposed clearing lies within the 1 September 1978 Country Area Water Supply Act 1947 (CAWS Act) gazetted Kent River Water Reserve. The application area is located in Zone A, a high salinity risk area of the catchment.

DoW records show that an application for a licence to clear by the land owner was refused due to the salinity hazard that would occur if the land was cleared. A claim for compensation for injurious affection was settled in March 1981.

As the native vegetation has been subject to the compensation payment, a CAWS Act Licence to Clear is required from the DoW before any clearing may be undertaken on the holding.

A CAWS Act Licence to Clear, Licence No. LAK1003, was issued for the applicant by the DoW on the 22

January 2015 (DoW, 2015). This CAWS Act Licence was granted subject to the condition that a planting offset of local native species that is twice the size of the clearing (7 hectares) be undertaken on the holding. To address the impacts identified in this assessment, the applicant has proposed to revegetate 7 hectares of native vegetation along a watercourse located 500 metres west of the application area on the holding.

The application area falls within a gazetted but non-active Public Drinking Water Source Area of the Kent River Water Reserve. The reserve was previously managed with the expectancy that it would become an active water source, however these expectations have since changed and the area will be de-gazetted under the CAWS Act.

There are no known Aboriginal Sites of Significance within the application area.

Under the Town Planning Scheme Zone, the application area is zoned as 'rural'.

No public submissions were received in relation to this application.

#### Methodology

##### References:

- DoW (2014)
- DoW (2014a)
- DoW (2015)

##### GIS Databases

- Aboriginal Sites of Significance
- Town Planning Scheme Zones

## 4. References

- Commissioner of Soil and Land Conservation (2014) Advice for Clearing Permit CPS 5969/1. Department of Agriculture and Food. Western Australia. (DER Ref: A729413).
- DER (2014) Site inspection report for CPS 5969/1. Department of Environment Regulation. Western Australia. (DER Ref: A750311).
- DoW (2014) Advice for Clearing Permit CPS 5969/1. Department of Water. Western Australia. (DER Ref: A728774).
- DoW (2014a) Advice for Clearing Permit CPS 5969/1. Department of Water, Land and Clearing (CAWSA) Management. Western Australia. (DER Ref: A728773).
- DoW (2015) CAWS Act Licence to Clear for CPS 5969/1. Department of Water. Western Australia (DER Ref: A856829).
- Parks and Wildlife (2014) Fauna advice for Clearing Permit CPS 5969/1. Department of Parks and Wildlife. Western Australia. DER Ref: A767284
- 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.
- 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.
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Parks and Wildlife. <http://florabase.dpaw.wa.gov.au/> (Accessed 23/01/2015).