



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 5994/1
File Number: DER2014/000444-1
Duration of Permit: 14 June 2014 to 14 June 2016

PERMIT HOLDER

Michael Kevin Fox

LAND ON WHICH CLEARING IS TO BE DONE

Lot 101 on Deposited Plan 44092, Eastbrook

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 1.3 hectares of native vegetation within the area shaded yellow on attached Plan 5994/1.

CONDITIONS

1. Revegetation

The Permit Holder shall establish and maintain local provenance species within the areas shaded red on attached Plan 5994/1 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.

2. Records must be kept

In relation to the *planting* of areas pursuant to condition 1 of this Permit:

- (a) 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;
- (b) a description of the planting activities undertaken; and
- (c) the number of trees and density planted.

3. 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 2 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 14 March 2016 the Permit Holder must provide to the CEO a written report of records required under condition 2 of this Permit where these records have not already been provided under condition 3(a) of this Permit.

DEFINITIONS

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

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

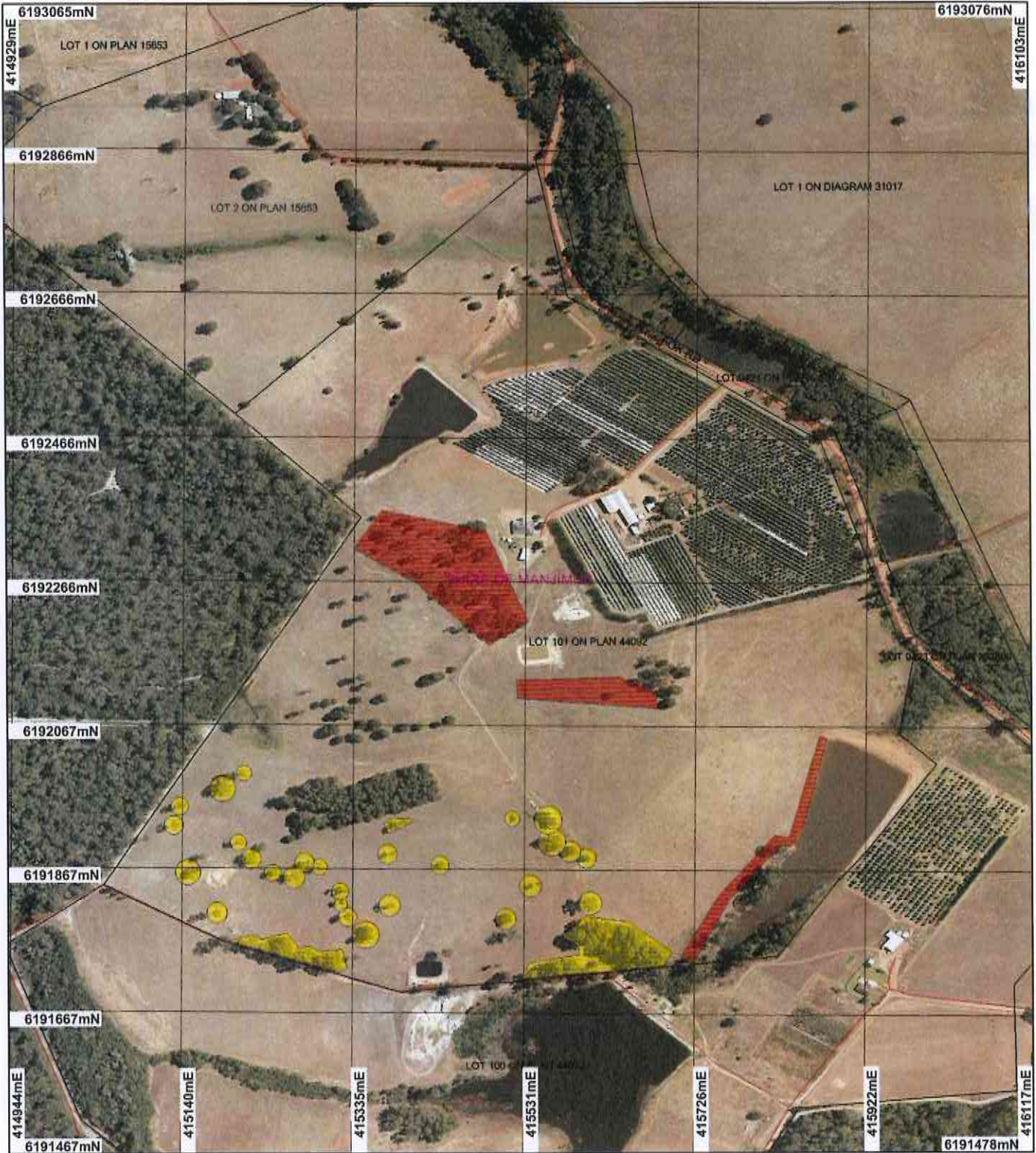


M Warnock
SENIOR MANAGER
CLEARING REGULATION

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

15 May 2014

CPS 5994/1



LEGEND

- Road Centrelines
- Local Government Authorities
- Cadastre for labelling Clearing Instruments (cont)
- Areas Subject to Conditions
- Areas Approved to Clear
- Manjimup 50cm Orthomosaic - Landgate 2007



0 ————— 200 m

Scale 1:7000

(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 Warnock Date 15/5/14

M Warnock

Officer with delegated authority under Section 20 of the Environmental Protection Act 1988

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



Clearing Permit Decision Report

Government of Western Australia
Department of Environment Regulation

1. Application details

1.1. Permit application details

Permit application No.: 5994/1

Permit type: Area Permit

1.2. Proponent details

Proponent's name: Michael Kevin Fox

1.3. Property details

Property: LOT 101 ON PLAN 44092 (House No. 177 FOX EASTBROOK 6260)

Local Government Area: Shire of Manjimup

Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1.3		Mechanical Removal	Horticulture

1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 15 May 2014

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
Beard Vegetation Association 1144: Tall forest; karri & marri (<i>Corymbia calophylla</i>) (Shepherd et al, 2001).	The applicant proposes to clear 1.3 hectares of native vegetation for the purpose of expanding a horticultural business.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	The vegetation condition was determined by arial imagery (DER, 2014).
Mattiske Vegetation Association CRb: Tall open forest of <i>Corymbia calophylla</i> - <i>Eucalyptus diversicolor</i> on upper slopes with <i>Allocasuarina decussata</i> - <i>Banksia grandis</i> on upper slopes in hyperhumid and perhumid zones (Mattiske and Havel, 1998).			

3. Assessment of application against clearing principles

Comments	Proposal may be at variance to this Principle
	The application is for the proposed clearing of 1.3 hectares of native vegetation within Lot 101 on Deposited Plan 44092, Eastbrook, for the purpose of expanding a horticultural business. The vegetation is considered to be in a degraded (Keighery, 1994) condition. There are no recorded rare or priority flora species or threatened ecological communities in the vicinity of the project.

The proposed clearing occurs within the Country Areas Water Supply Act 1947 (CAWS Act) gazetted Warren River Reserve. The property is located in Zone D, a low salinity risk area of the Warren River 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 (Department of Water (DoW) 2014a). 2007 imagery suggests there is only 4.6 hectares (7 per cent) of native vegetation on the applicants holding (DoW, 2014a).

The Department of Water (DoW, 2014a) has advised revegetation of twice the permitted area (2.6 hectares), comprised of local provenance species is established and maintained in perpetuity on the holding to mitigate the risk of salinity. To address the impacts identified in this assessment the applicant has proposed to revegetate 2.6 hectares of native vegetation on the holding.

Several minor perennial watercourses and reservoirs are located in close proximity to the proposed clearing area that are tributaries to Lefroy Brook. The DoW (2014b) has identified that the land use could potentially result in a number of environmental impacts to water courses and its associated riparian vegetation including erosion, leaching of fertilisers and spray drift.

The assessment of the application identified that the clearing may be at variance to principles (f) and (i) and is not likely to be at variance to the remaining clearing principles.

Methodology

References

- Keighery (1994)
- Department of Water (2014a)
- Department of Water (2014b)

GIS Databases

- Hydrography, linear
- Pre-European vegetation
- SAC Biodatasets (Accessed March 2014)
- CAWS Act
- RIWI Act

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

Comments

The applicant proposes to clear 1.3 hectares of native vegetation for the purpose of expanding a horticultural business.

The proposed clearing occurs within the Country Areas Water Supply Act 1947 (CAWS Act) gazetted Warren River Reserve. The property is located in Zone D, a low salinity risk area of the Warren River 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,2014a).

2007 imagery suggests there is only 4.6 hectares (7 per cent) of native vegetation on the applicants holding (DoW, 2014a).

The Department of Water (DoW, 2014a) has advised a permit could be granted for the application if an offset, comprised of the local provenance species, of twice the permitted area is established and maintained in perpetuity, on the holding. To address the impacts identified in this assessment the applicant has proposed to revegetate 2.6 hectares of native vegetation on the holding.

The DoW has identified erosion, leaching of fertilisers and herbicide spray drift associated to the land use that could potentially impact watercourses and reservoirs in the area. The applicant has proposed to revegetate along the watercourse to address these impacts.

The DoW have advised that permits to 'interfere with bed and banks' and 'take water' under the Rights in Water and Irrigation Act 1914 are not required for the proposed clearing as there is no association with any watercourse that is subject to the provisions of the Rights in Water and Irrigation Act 1914 (DoW, 2014c).

The Shire of Manjimup (2014) advised that they have no objection to the clearing and that planning approval is not required.

Lot 101 is zoned as 'Priority Agriculture' under the Local Town Planning Scheme No. 4.

No submissions from the public have been received.

Methodology

References

- Department of Water (2014a)
- Department of Water (2014b)

- Department of Water (2014c)
- Shire of Manjimup (2014)

GIS Databases

- CAWS Act
- Town Planning Scheme Zones
- Hydrology, Linear

4. References

- DoW (2014a) Advice for Clearing Permit CPS 5994/1. Department of Water. Land and Clearing (CAWSA) Management. Western Australia. (DER Ref: A732196).
- DoW (2014b) Advice for Clearing Permit CPS 5994/1. Department of Water. Western Australia. DEC Ref: A732958
- DoW (2014c) Advice for Clearing Permit CPS 5994/1. Department of Water. Western Australia. DEC Ref: A753123
- 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 (2014) Advice for Clearing Permit CPS 5994/1. Shire of Manjimup. DEC Ref: A732148