



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 6250/1

File Number: 2013/002272-1

Duration of Permit: From 12 September 2015 to 12 September 2017

PERMIT HOLDER

Mr Peter Buytaert

Mrs Chin Hui Buytaert

LAND ON WHICH CLEARING IS TO BE DONE

Lot 11 on Diagram 91290, Warner Glen

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.4 hectares of native vegetation within the area cross hatched yellow on attached Plan 6250/1.

CONDITIONS

Nil.

M Warnock
SENIOR MANAGER
CLEARING REGULATION

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

13 August 2015

Plan 6250/1

34.125633°S

34.125633°S

115.186363°E

115.186363°E

115.186363°E

115.186363°E



Legend

-  Roads
-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority



1:5,555

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

M Warnock Date 13/8/15

M Warnock

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



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1. Application details

1.1. Permit application details

Permit application No.: 6250/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Peter Buytaert and Chin Hui Buytaert

1.3. Property details

Property: LOT 11 ON DIAGRAM 91290, WARNER GLEN
Colloquial name:
Local Government Authority: AUGUSTA-MARGARET RIVER, SHIRE OF

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 13 August 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: Medium forest; jarrah-marri (Shepherd et al, 2001)	The clearing of 0.4 hectares of native vegetation within Lot 11 on Diagram 91290 Warner Glen, for the purpose of constructing an irrigation dam.	Completely Degraded; No longer intact, completely/almost completely without native species (Keighery, 1994). To	The vegetation under application consists of native reeds, rushes and weeds. The area under application has been subject to past disturbances such as pasture and grazing.
Mattiske Vegetation Complex Blackwood (Bw): Woodland to low forest of Melaleuca raphiophylla, tall shrubland of Melaleuca incana and closed heath of Agonis spp. on depressions in the perhumid zone (Mattiske and Havel, 1998).		Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).	The condition and description of the vegetation under application was obtained from documentation and photographs supplied within the application (Slade Ag Tech, 2014).

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments

Proposed clearing is not at variance to this Principle

The application is to clear 0.4 hectares of native vegetation within Lot 11 Patmore Road, Warner Glen, for the purpose of constructing an irrigation dam.

The vegetation under application consists of native reeds and rushes. Paddock weeds are prevalent throughout the application area. The vegetation under application is in a degraded to completely degraded (Keighery, 1994) condition.

Several priority and rare flora species have been recorded within 10 kilometres of the application area. A flora and fauna assessment of Lot 11 Patmore Road, Warner Glen recorded a priority 3 species within the vicinity of the clearing area (Smith, 2013). It is possible that this species may occur within the proposed clearing area, however should any clearing of this species occur, it is unlikely to significantly impact the conservation status of

this species as it has a wide distribution (Parks and Wildlife, 2014). The assessment did not record any other flora species of conservation significance and given that the vegetation within the application area is in a degraded to completely degraded (Keighery, 1994) condition, it is unlikely the application will impact on priority or rare flora species.

There has been no priority or threatened ecological communities recorded within 10 kilometres of the application area.

The application area is in a degraded to completely degraded (Keighery, 1994) condition and does not contain high conservation and biodiversity values.

Methodology References:
Keighery, (1994)
Parks and Wildlife (2014)
Smith, S. (2013)

GIS Database:
- SAC Bio datasets accessed August 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 **Proposed clearing is not likely to be at variance to this Principle**
Several fauna species of conservation significance have been recorded within 10 kilometres of the applied area. This includes *Galaxiella munda* (Western Mud Minnow), *Geocrinia alba* (White Bellied Frog) and *Isoodon obesulus* subsp. *fusciventer* (Quenda, Southern Brown Bandicoot) (Parks and Wildlife, 2007-).

The White bellied Frog has an area of occupancy of about 193 hectares where it persists along creeklines within agricultural landscapes, provided suitable riparian habitat remains intact (Wardell-Johnson et al, 1995).

Records of the Western Mud Minnow have been recorded within the local vicinity. The Western Mud Minnow generally occurs in swift-flowing, tea-coloured streams and is also found in swamps, ponds and roadside ditches. It usually lives in small flowing streams near submerged vegetation. Water inhabited is darkly tannin-stained and acidic (Allen, 1989).

The southern brown bandicoot prefers areas with dense understorey vegetation, particularly around swamps and along watercourses that provides protection from predators.

Given the small size and highly disturbed condition of the vegetation under application it is unlikely the application area provides significant habitat for fauna species of conservation significance. Additionally, there is a larger remnant of vegetation in a very good (Keighery, 1994) condition adjoining the application area.

The proposed clearing is not likely to be at variance to this principle.

Methodology References
Allen (1989)
Parks and Wildlife (2007-)
Wardell-Johnson et al (1995)

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

Comments **Proposed clearing is not likely to be at variance to this Principle**
Three species of rare flora have been recorded within 10 kilometres of the area under application, with two of the species being mapped within the same vegetation and soil type as the applied area.

A flora and fauna assessment of Lot 11 Patmore Road did not record any rare flora within the application area (Smith, 2013). Considering this and that the vegetation within the application area is in a degraded to completely degraded (Keighery, 1994) condition, it is unlikely the proposed clearing will impact on rare flora species.

The proposed clearing is not likely to be at variance to this principle.

Methodology References
Keighery, (1994)
Smith, S. (2013)

GIS Database:
- SAC Bio datasets accessed August 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 **Proposed clearing is not likely to be at variance to this Principle**
There have been no threatened ecological communities (TEC) recorded within 10 kilometres of the area under application and the vegetation under application is not considered to be a representation of a TEC.

The proposed clearing is not likely to be at variance to this principle.

Methodology GIS Database:
- SAC Bio datasets accessed August 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 **Proposed clearing is not likely to be at variance to this Principle**
The area under application is represented by Beard Vegetation Association 3 and Mattiske Vegetation Complex Blackwood which have 68 and 52 per cent respectively of their pre-European Vegetation remaining in the Jarrah Forest IBRA Bioregion (Government of Western Australia, 2014, Parks and Wildlife, 2015).

Approximately 55 percent of vegetation remains within a 10 kilometres radius of the area under application.

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 per cent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001). The vegetation types represented within the application area are above the 30 per cent threshold level.

The vegetation under application is not located within an extensively cleared landscape and the mapped vegetation associations/complexes are well represented therefore, the vegetation under application is not significant as a remnant.

The proposed clearing is not likely to be variance to this principle.

	Pre-European (ha)	Current Extent Remaining (ha)	Remaining (%)	Extent in DPaW Managed Lands (%)
IBRA Bioregion				
Jarrah Forest	4,506,660	2,425,551	54	69
Shire				
Shire of Augusta-Margaret River	211,680	131,716	62	75
Beard Vegetation Association in Bioregion 3	2,390,591	1,613,657	68	80
Mattiske Vegetation Complex Blackwood (Bx)	3,331	1,757	52	14

Methodology References
Commonwealth of Australia (2001)
Government of Western Australia (2014)
Parks and Wildlife (2015)

GIS Databases:
- Pre-European 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 **Proposed clearing is at variance to this Principle**
The area under application has been mapped within an Augusta to Walpole palusplain wetland which is mapped as an environmentally sensitive area. The area under application is at the western extent of the linear palusplain wetland which is approximately six to seven kilometres in length.

The application will impact on riparian vegetation, however considering the relatively small size and degraded to completely degraded (Keighery, 1994) condition of the vegetation within the application area, the proposed clearing is unlikely to significantly impact on wetland environmental values.

The proposed clearing is at variance to this principle.

Methodology References:
Keighery, (1994)

GIS Database:
- Augusta to Walpole Wetland,
- Hydrography, linear

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Comments **Proposed clearing is not likely to be at variance to this Principle**
The soil type within the applied area consist of lateritic (ironstone) gravels, with chief soils generally being hard acidic yellow mottled containing small to very large amounts of ironstone gravels (Northcote et al 1960 - 1968).

The area under application has been mapped within an Augusta to Walpole palusplain wetland. The area under application is at the western extent of the linear palusplain wetland which is approximately six to seven kilometres in length.

Groundwater salinity within the area under application is mapped at 500-1000 total dissolved solids mg/L which is considered 'marginal'.

Given the soils and size of the application area, the proposed clearing is not likely to cause land degradation in the form of increased groundwater salinity, wind or water erosion.

The proposed clearing is not likely to be at variance to this principle.

Methodology References:
Northcote, et al. (1960-68)

GIS Database:
- Augusta to Walpole wetland
- Groundwater, Salinity
- Hydrography, linear

(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 **Proposed clearing is not at variance to this Principle**
The closest conservation area to the application is the Forest Grove National Park located approximately 1.4 kilometres away. Considering the distance to the National Park and given that the vegetation is in a degraded to completely degraded (Keighery, 1994) condition, it is not likely that the proposed clearing will have an impact on the environmental values of this conservation area.

The proposed clearing is not at variance to this principle.

Methodology References:
Keighery, (1994)

GIS Databases:
- Parks and Wildlife 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 **Proposed clearing is not likely to be at variance to this Principle**
The area under application is within an Augusta to Walpole palusplain wetland (seasonally waterlogged flat) at the western extent of the wetland that comprises a linear area of approximately six to seven kilometres.

Groundwater salinity within the area under application is mapped at 500-1000 total dissolved solids mg/L which is considered 'marginal'. It is unlikely the removal of 0.4 hectares of native vegetation will result in a rise in groundwater levels, therefore deterioration of groundwater quality is not expected.

The application may cause some short term localised surface water sedimentation within the palusplain wetland, however these impacts are likely to be minimal.

The proposed clearing is not likely to be at variance to this principle.

Methodology GIS Database:
- Augusta to Walpole wetland
- Groundwater, Salinity
- Hydrography, 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 Proposed clearing is not at variance to this Principle

The area under application has been mapped within an Augusta to Walpole wetland.

Given the relatively small size of the application area and condition of the vegetation, it is unlikely that the application will cause, or exacerbate the incidence or intensity of flooding beyond the extent of the dam.

The proposed clearing is not at variance to this principle.

Methodology GIS Database:
- Augusta to Walpole wetland
- Hydrography, linear

Planning instruments and other relevant matters.

Comments The applicant previously applied to clear 2.22 hectares of native vegetation north of the current application. An assessment of the previous application identified a number of environmental impacts that resulted in the application being refused. The current application proposes to clear 0.4 hectares which is significantly less than the previous application. An assessment of the application has determined that the environmental impacts identified in the previous application will be avoided in the current proposal.

The area under application is located within the Lower Blackwood River Surface Water Area and within the Blackwood Groundwater Area. Both areas are proclaimed under the Rights in Water and Irrigation Act 1914. The Department of Water (DoW, 2014) has advised that the applicant has applied for a Permit to Interfere with the Bed and Banks of the watercourse where the clearing is proposed. An application for a Licence to Take Surface Water has also been lodged. DoW (2014) support the application to grant a permit to construct a dam and a licence to take water in principle. However, DoW requires evidence of clearing permit approval, under the Environmental Protection Act 1986, before the licences are issued (DoW, 2014).

The Shire of Augusta-Margaret River (2015) has issued the applicant with development approval for the construction of a dam within Lot 11 Patmore Road, Warner Glen. The approval is subject to conditions. These conditions include but are not limited to;

- A Nutrient and Rehabilitation Management Plan implemented to ensure the protection of the site's water quality and biodiversity values.
- A minimum 20 metre wide vegetation buffer shall be established around the dam in accordance with an approved landscaping plan.

The dam construction and the planting of an avocado orchard is likely to alter surface water hydrology flow patterns within Lot 11. Water quality may be also impacted by an increase in nutrients from the potential use of pesticides and herbicides to establish the avocado orchard. DoW (2014) recommends the applicant carries out best practice measures, consistent with the Departments - Water Quality Protection Note 34 'Orchards Near Sensitive Water Resources'.

There have been no public submissions received for the proposed clearing.

Methodology References:
DoW (2014)
Shire of Augusta-Margaret River (2015)

4. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- DoW (2014) Advice received for Clearing Permit Application, CPS 6250/1 - Peter and Chin Hui Buytaert, Lot 11, Warner Glen, 0.4 hectares (DER Ref:A818396)
- 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.
- Allen, G.R., 1989. Freshwater fishes of Australia. T.F.H. Publications, Inc., Neptune City, New Jersey.
- Parks and Wildlife (2014) Comments received on the review of the Flora and Fauna Assessment carried out on Lot 11 Patmore Road Warner Glen. Parks and Wildlife, Species and Communities Branch received 10 January, 2014 (DER Ref:A737059)
- Government of Western Australia (2014) 2014 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2014. WA Department of Parks and Wildlife, 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.
- 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.
- Parks and Wildlife (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed June 2015
- Parks and Wildlife (2015) 2015 South West Forest and Swan Coastal Plain Vegetation Complex Statistics: a report prepared

for the Department of Environment Regulation. Current as of March 2015. Department of Parks and Wildlife, Perth, Western Australia.

Shire of Augusta-Margaret River (2015) Advice received for Clearing Permit Application, CPS 6250/1 - Peter and Chin Hui Buytaert, Lot 11, Warner Glen, 0.4 hectares (DER Ref:A944851 and A938392)

Slade Ag Tech (2014) Information received within Clearing Permit Application CPS 6250/1 - Peter and Chin Hui Buytaert, Lot 11, Warner Glen, 0.4 hectares (DER Ref:A797686)

Wardell-Johnson, G. Roberts, J. Driscoll, D and Williams K. (1995) Orange-Bellied and White-Bellied Frogs Recovery Plan. 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.

Smith, S. (2013) Lot 11 Patmore Road, Warner Glen. Flora and Fauna Assessment, November 2013 (DER Ref:A737055)