



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 6799/1
File Number: 2015/002331-1
Duration of Permit: From 4 June 2016 to 4 June 2018

PERMIT HOLDER

Stephen Edward Tomsic
Susanne Helen Tomsic

LAND ON WHICH CLEARING IS TO BE DONE

Lot 8946 on Deposited Plan 201660, Yeagarup
Lot 8945 on Deposited Plan 201660, Yeagarup

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 1.5 hectares of native vegetation within the combined areas cross hatched yellow on attached Plan 6799/1.

CONDITIONS

1. Dieback and weed control

When undertaking any clearing 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.

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; and

weeds 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.

A handwritten signature in black ink, appearing to read "S. Weighell".

Simon Weighell
A/MANAGER
CLEARING REGULATION

Officer delegated under section 20 of the Environmental Protection Act 1986

5 May 2016

Plan 6799/1



Legend

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



1:5,003

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

S. Weighell Date *5/5/16*
Simon Weighell

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.: 6799/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Mr Stephen & Susanne Tomsic

1.3. Property details

Property: LOT 8945 ON DEPOSITED PLAN 201660, YEAGARUP
LOT 8946 ON DEPOSITED PLAN 201660, YEAGARUP
Local Government Authority: MANJIMUP, SHIRE OF

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Granted

Decision Date: 5 May 2016

Reasons for Decision: The clearing application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the *Environmental Protection Act 1986* (EP Act), and has concluded that the proposed clearing is at variance to clearing principle (f), may be at variance to clearing principles (h) and (i), and is not likely to be at variance to the remaining clearing principles.

Through assessment it has been determined that there is a risk the proposed clearing will result in the introduction or spread of weeds and dieback into the adjacent Donnelly State Forest. A weed and dieback management condition has been included on the permit to mitigate this risk.

It has also been determined that the proposed clearing includes vegetation growing in association with a watercourse and has the potential to impact on water quality. The applicant has obtained a *Country Areas Water Supply Act 1947* (CAWS Act) Licence to Clear which includes conditions requiring the revegetation of an area totalling 5.78 hectares to mitigate potential water quality impacts. Therefore it is considered that such potential impacts are already regulated under the CAWS Act and do not require regulation through clearing permit conditions under the EP Act.

Given the above, the potential impacts of the proposed clearing are unlikely to be significant and a permit has been granted. State policies and other relevant policies have been taken into consideration in the decision to grant a clearing permit.

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 1: Tall forest; karri (<i>Eucalyptus diversicolor</i>) (Shepherd et al, 2001)	The application is to clear 1.5 hectares of native vegetation within Lots 8945 and 8946 on Deposited Plan 201660,	Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).	Aerial photography and advice from the applicant indicates the vegetation proposed to be cleared comprises of 1.5 hectares which includes 13 <i>Eucalyptus</i> trees over native rushes and sedges. The remainder of Lot 8946 and Lot 8945 is predominately cleared and consists of avocado plantations.
Mattiske vegetation complex PM1: Tall open forest of <i>Eucalyptus diversicolor</i> with mixtures of <i>Corymbia calophylla</i> on valley slopes and low forest of <i>Agonis juniperina</i> - <i>Banksia seminuda</i> - <i>Callistachys lanceolata</i> on valley floors in the perhumid zone (Mattiske and Havel, 1998).	Yeagarup, Shire of Manjimup for the purpose of expanding an existing dam.	To Completely Degraded; No longer intact, completely/almost completely without native species (Keighery, 1994).	The condition of the vegetation under application was determined by aerial photography.

3. Assessment of application against clearing principles

Comments

The application is to clear 1.5 hectares of native vegetation within Lots 8945 and 8946 on Deposited Plan 201660, Yeagarup, Shire of Manjimup for the purpose of expanding an existing dam.

Aerial photography indicates the vegetation proposed to be cleared ranges from completely degraded to good (Keighery, 1994) condition.

Five priority and one rare flora species have been recorded within the local area (10 kilometre radius) with all of these records located within Department of Parks and Wildlife reserves. It is considered unlikely that the application area represents suitable habitat for flora of conservation significance given the historical agricultural land use and the altered nature of the creek line system.

No threatened or priority ecological communities have been mapped within the application area or the local area.

Eight fauna species listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950* have been recorded within the local area (Parks and Wildlife, 2007-) including:

- woylie, brush-tailed bettong (*Bettongia penicillata* subsp. *ogilbyi*);
- forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*);
- Baudin's cockatoo (*Calyptorhynchus baudinii*);
- Carnaby's cockatoo (*Calyptorhynchus latirostris*);
- western mud minnow (*Galaxiella munda*);
- southern brush-tailed phascogale (*Phascogale tapoatafa* subsp. *tapoatafa*);
- western ringtail possum (*Pseudocheirus occidentalis*); and
- quokka (*Setonix brachyurus*).

The local area (10 kilometre radius) is approximately 70 per cent vegetated, approximately 90 per cent of which is held within numerous Department of Parks and Wildlife (Parks and Wildlife) reserves, including seven National Parks and three State Forests. Given this, the application area is not likely to contain significant fauna habitat or vegetation significant as a remnant within an area that has been extensively cleared.

There is an existing dam straddling both Lots constructed on a minor perennial watercourse that originates on Lot 8945 and traverses the application area. Aerial photography indicates that the application area includes vegetation growing in association with the existing dam and minor watercourse. Clearing of this vegetation may result in soil erosion and subsequently increased stream turbidity and sedimentation, however, any erosion is considered likely to be short term and minor given the proposed final constructed landform (i.e. dam).

The eastern boundary of the application area is approximately 20 metres from the Donnelly State Forest. The Warren National Park is approximately 400 metres south of the application area. Soil disturbance and removal of native vegetation increases the risk of weeds and pathogens, such as dieback (*Phytophthora* species), being introduced or spread into adjacent areas, particularly areas located downstream. Weed and dieback management practices assist in mitigating the risk of introduction or spread of weeds and pathogens into neighbouring vegetation.

The application area is within the CAWS Act gazetted Warren River Water Reserve. The site is not in a current Public Drinking Water Source area, hence no priority source protection area has been assigned or is proposed. The Warren River catchment has, however, been subject to CAWS Act native vegetation clearing controls since December 1978 to prevent salinisation of water resources. The proposed clearing is located in Zone D, a low salinity risk area of the catchment, where Department of Water (DoW) Policy and Guidelines for the "Granting of Licences to Clear Native Vegetation" allow for the granting of a CAWS Act licence if the subject vegetation hasn't been subject to compensation payment and at least one-tenth of the holding remains under native vegetation. DoW records show no licence or compensation history for the landholding (Lots 8945 and 8946). Aerial photography from 2014 of the landholding indicates that only five per cent native vegetation remains. If a permit were granted only 3 per cent native vegetation would remain (DoW, 2015).

Considering the low level of vegetation remaining on the landholding, the proposed clearing may result in increased salinity of ground and/or surface water.

Given the above the proposed clearing is at variance to clearing principle (f), may be at variance to clearing principles (h) and (i), and is not likely to be at variance to the remaining clearing principles.

Methodology

References:
DoW (2015)
Keighery (1994)
Parks and Wildlife (2007-)

GIS Databases:
- Hydrography, linear
- NLWRA, Current Extent of Native Vegetation
- Parks and Wildlife Tenure
- Pre-European vegetation
- SAC Bio datasets – accessed March 2016

Planning instruments and other relevant matters.

Comments No public submissions have been received in relation to this application.

A CAWS Act Licence to Clear, Licence No. LMR1052, was issued to the applicant by the DoW on 24 March 2016 (DoW, 2016). This CAWS Act Licence allows for the clearing of up to 1.5 hectares within Lots 8945 and 8946 on Deposited Plan 201660, Yeagarup, with the size and location of clearing consistent with this application. The licence was granted subject to revegetation conditions requiring the planting of 5.78 hectares of land with local native species at a density of 2000 plants per hectare. The size of revegetation ensures the property will be 10 per cent vegetated with the revegetation to occur on the western boundary of Lot 8945 and around the perimeter of the proposed expanded dam.

The Shire of Manjimup (2015) has advised that the land is zoned by Local Planning Scheme No. 4 as 'Priority Agriculture' and planning approval for clearing of vegetation is not required in this zone. Planning approval for the dam is required if the expanded edge of the dam or dam wall is to be less than 20 metres from any lot boundary (Shire of Manjimup, 2015). The applicant has advised that the dam expansion does not fall within 20 metres of the lot boundary.

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

Methodology References:
DoW (2016)
Shire of Manjimup (2015)

GIS Databases:
- Aboriginal Sites of Significance

4. References

- DoW (2016) CAWS Act Licence Granted over Lots 8945 and 8946 on Deposited Plan 201660 (DER Ref:A1084756).
DoW (2015) Advice for Clearing Permit CPS 6503/1. Department of Water, Land and Clearing (CAWSA) Management. Western Australia. (DER Ref: A1011584).
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.
Parks and Wildlife (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed December 2015
Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.
Shire of Manjimup (2015) Advice for Clearing Permit CPS 6799/1. Western Australia. (DER Ref: A1007133).