Government of Western Australia
Department of Environment Regulation

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 7181/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: AJ & EA Bott Holdings Pty Ltd

1.3. Property details

Property: LOT 707 ON PLAN 207892, EAST MUNGLINUP
Local Government Authority: ESPERANCE, SHIRE OF
DER Region: Goldfields
DPaW District: ESPERANCE
Localities: EAST MUNGLINUP

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
38.892	0	Mechanical Removal	Grazing & pasture

1.5. Decision on application

Decision on Permit Application: Refuse
Decision Date: 9 December 2016
Reasons for Decision: The applicant has applied to clear 38.892 hectares of native vegetation for the purpose of cropping and pasture. This application was received on 14 July 2016.

The clearing permit application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the *Environmental Protection Act 1986.*

The assessment found that the proposed clearing will cause an unacceptable risk to the environment through land degradation in the form of salinity. It has been concluded that the proposed clearing is seriously at variance to principle (g) (land degradation).

On 26 October 2016 the Delegated Officer wrote to the applicant advising that the preliminary assessment had identified that the proposed clearing is seriously at variance to Principle (g) due to the land degradation risks associated with clearing of native vegetation and inviting the applicant to provide further information in respect to this matter. At the date of the decision no response has been received from the applicant.

In deciding to refuse to grant a permit the Delegated Officer had regard to expert specialist advice from the Deputy Commissioner of Soil and Land Conservation that the proposed clearing is seriously at variance to principle (g), given the potential for salinity. Under section 51)(3) of the EP Act, the CEO may make a decision that is seriously at variance with the clearing principles if, and only if, in the CEO's opinion there is a good reason for doing so.

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 47 is described as Shrublands; tallerack mallee-heath (Shepherd et al, 2001) Beard Vegetation Association 516 is	The applicant proposes to clear 38.584 hectares of native vegetation within Lot 707 on Deposited Plan 207892, East Munglinup, for the purpose of cropping and grazing.	Pristine; No obvious signs of disturbance (Keighery, 1994).	The description and condition of the vegetation under application was determined via a site inspection undertaken by the Department of Environment Regulation in September 2016 (DER, 2016).

described as Shrublands; mallee scrub, black marlock (Shepherd et al, 2001)

3. Assessment of application against clearing principles

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

Comments

Proposed clearing is at variance to this Principle

The applicant proposes to clear 38.892 hectares of native vegetation within Lot 707 on Deposited Plan 207892, East Munglinup, for the purposes of cropping and grazing. A DER site inspection identified that the application area is in very good to pristine (Keighery, 1994) condition. Evidence of historical disturbance, in the northern most application area, was observed but much of the understorey vegetation has regrown (DER, 2016).

A DER site inspection identified that the application area comprises shrublands of mallee scrub and mallee-heath predominately comprised of Black Marlock and Tallerack over a rich diversity of herbaceous understorey species (DER, 2016). The mid storey is dominated by *Gastrolobium parviflorum*, *Melaleuca nesophila*, *Acacia glaucoptera* with an understorey of orchids (*Caladenia flava* and *Caladenia longicauda*), *Damperia* sp., *Hibbertia* sp., *Boronia* sp. and *Lechenaultia sp.* (DER, 2016). There is a small dam constructed in the middle of northern most application area which retains water and a water course running adjacent to the southern side of northern most application area (DER, 2016).

A minor non-perennial watercourse, marsh area and earth dam are also mapped within the application area. DER's site inspection of the application area identified vegetation growing in, or in association with, a wetland or watercourse (DER, 2016).

Mapping of the application area identifies that:

1. Salinity risk: Category L2: 3-10 per cent of the map unit has moderate to high salinity risk or is presently saline;
2. Subsurface acidification: Category M1: 10-30 per cent of the map unit has high subsurface acidification risk or is presently acidic;
3. Wind erosion: Category H2: greater than 70 per cent of the map unit has a high to extreme wind erosion risk;
4. Waterlogging: L1: less than 3 per cent of map unit has a moderate to very high waterlogging risk;
5. Water repellance: L2: 3 to 10 per cent of the map unit has a high water repellance risk;
6. Water erosion; L2: 3-10 per cent of the map unit has a high to extreme water erosion risk;
7. Subsurface compaction: L1: less than 3 per cent of the map unit has a high subsurface compaction risk

The Deputy Commissioner of Soil and Land Conservation (Deputy Commissioner) advised that the WA Department of Agriculture and Food (DAFWA) soil landscape mapping indicates that the soils within the application area are a "mixture of two soil Subsytsems; Young 1 Subsystem. Map Unit 245Yo_1 and to a lesser extent the Munglinup 1 Subsystem. Map Unit 245Mu_1 (DCSLC, 2016).

The Deputy Commissioner arranged a site inspection which was conducted by DAFWA on 15 September 2016. The site inspection report noted that "the risk of salinity is higher than the current mapping indicates (mapping conducted in 1995)" and that "hydrogeological information specific to the property has been identified and shows groundwater is steadily rising in the area of the proposed clearing. Salinity is occurring on the property as saline discharges associated with waterways. Off-site salinity was observed on both the east and western side of Munglinup River. Significant change is expected if further clearing of native vegetation occurs and the risk of salinity causing land degradation is high. The risks of eutrophication, waterlogging, wind erosion and water erosion are unlikely to increase with the clearing of native vegetation".

The Deputy Commissioner noted that "the area to be cleared has a moderate capability for the intended agricultural land use and that land degradation in the form of salinity is highly likely to occur as a result of a rising groundwater table" (DCSLC, 2016).

The Deputy Commissioner advised that 'the proposed land clearing is likely to be seriously at variance with Principle (g) for land degradation in the form of salinity.' (DCSLC, 2016).

Based on the high risk of land degradation in the form of salinity, the proposed clearing is seriously at variance to Principle (g).

Under Section 51O(3) the Chief Executive Officer may make a decision that is seriously at variance with the clearing principles if, and only if, in the Chief Executive Officer's opinion there is a good reason for doing so.

Methodology

References:
DER (2016)
DCSLC (2016)

Keighery (1994)

GIS Databases:
Soils, statewide
Subsystems
DAFWA, risk mapping
Hydrology, linear
South Coast Significant Wetlands

Planning instruments and other relevant matters.

Comments

The proposed clearing of 38.892 hectares of native vegetation within Lot 707 on Deposited Plan 207892, East Munglinup, is for the purpose of cropping and pasture. The applicant advised that clearing adjacent to the application area was undertaken for fenceline maintenance and the installation of fire breaks in accordance with a requirement by the Local Government (DER, 2016).

The application was received by the Department of Environment Regulation on 14 July 2016 and advertised in *The West Australian* on Monday 1 August 2016 for a period of 21 days. No submissions were received in response to the proposed clearing.

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

The assessment of the application determined that the proposed clearing is seriously at variance to Principle (g) due to the land degradation risks associated with clearing of native vegetation.

Given this significant environmental impact no further assessment has been undertaken.

On 26 October 2016 DER's Delegated Officer wrote to the applicant advising that the preliminary assessment had identified that the proposed clearing is seriously at variance to Principle (g) due to the land degradation risks associated with clearing of native vegetation and inviting the applicant to provide further information in respect to this matter. At the date of the decision no response has been received from the applicant.

Methodology

References:
DER (2016)

GIS Databases:
Aboriginal Sites of Significance
Town Planning

4. References

Deputy Commissioner of Soil and Land Conservation (DCSLC) (2016) Advice to the Department of Environment Regulation in relation to clearing permit application CPS 7181/1 DER ref. A1175686.

Department of Environment Regulation (DER) (2016) Site Inspection Report for Clearing Permit Application CPS 7181/1, Lot 707 on Deposited Plan 207892, East Munglinup. Site inspection undertaken 14 September 2016. Department of Environment Regulation, Western Australia (DER Ref. A1169605).

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, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.