



GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 7264/1

File Number: 2014/000417 -1

Duration of Permit: 31 December 2016 to 31 December 2021

PERMIT HOLDER

Raymond Geoffrey Bell

Cheri Anne Bell

LAND ON WHICH CLEARING IS TO BE DONE

Lot 9720 on Deposited Plan 203087, Crowea.

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 9.5 hectares of native vegetation within the areas cross-hatched yellow on attached Plan 7264/1.

CONDITIONS

1. Tree retention

The Permit Holder shall retain *habitat trees* found within the areas cross hatched yellow on attached Plan 7264/1.

2. 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; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

Definition

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

habitat tree(s): means trees that have a diameter, measured at 1.5 metres from the base of the tree, of 50 centimetres or greater.

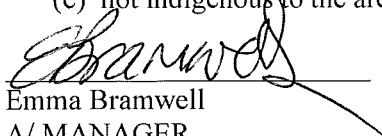
dieback means the effect of *Phytophthora* species on native vegetation;

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.


Emma Bramwell

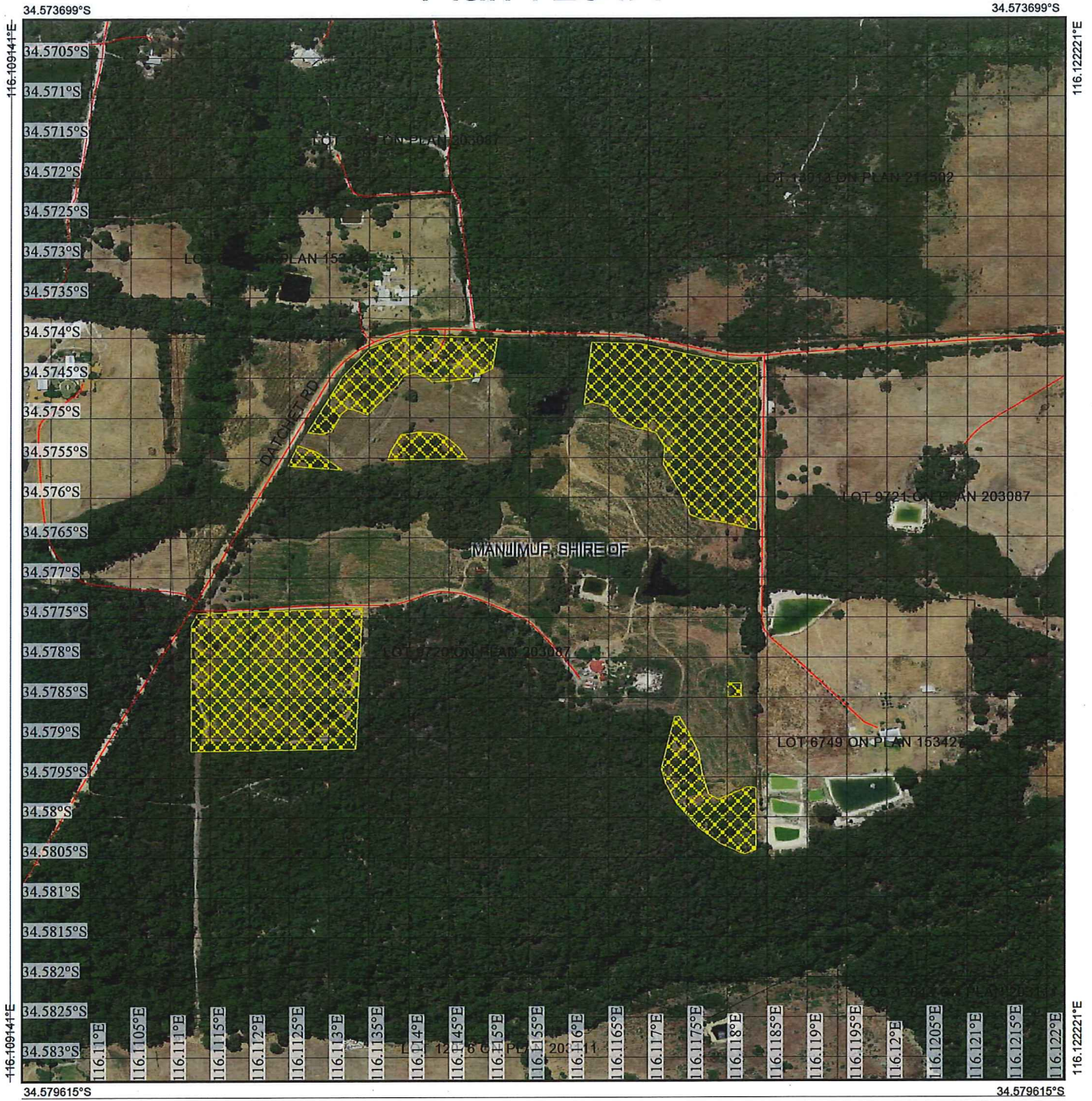
A/ MANAGER

CLEARING REGULATION

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

1 December 2016

Plan 7264/1



Legend

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



1:6,357

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

Emma Bramwell Date *01/12/16*
 Emma Bramwell

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



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 WESTERN AUSTRALIA
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1. Application details

1.1. Permit application details

Permit application No.: 7264/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Mrs Cheri Anne Bell
Mr Raymond Geoffrey Bell

1.3. Property details

Property: LOT 9720 ON PLAN 203087, CROWEA
Local Government Authority: MANJIMUP, SHIRE OF
DER Region: South Coast
DPaW District: DONNELLY
Localities: CROWEA

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 1 December 2016
Reasons for Decision: The clearing permit application was received on 8 September 2016, and has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986*. It has been concluded that the proposed clearing is at variance to Principle (f), may be at variance to Principle (i), and is not likely to be at variance to the remaining Principles.

The Delegated Officer determined that approximately 0.3 hectares of the proposed clearing will impact on vegetation growing in association within a watercourse, and may impact on the quality of surface water through increased sedimentation. The Delegated Officer considered that the impact to the watercourse is unlikely to be significant, and that existing surface water dams are likely to mitigate potential impacts arising from sedimentation. The Delegated Officer also noted that the application area could potentially contain large trees suitable to be utilised as fauna habitat, and that there is potential for weeds and dieback to spread into adjacent State Forest areas. To mitigate these impacts, the Permit Holder will be required to retain trees with a diameter at breast height of greater than 50 centimetres, and to manage weeds and dieback.

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
Two Beard vegetation associations are mapped within the application area: <ul style="list-style-type: none"> Beard vegetation association 23 is described as low woodland; jarrah-banksia; and Beard vegetation association 3 is described as medium forest; jarrah-marri (Shepherd et al, 2001). 	The application is to clear 9.5 hectares of native vegetation within Lot 9720 on Deposited Plan 203087, Crowea, Shire of Manjimup, for the purpose of pasture and avocado farming.	Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate To; Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).	The vegetation condition and description was determined via a review of aerial imagery. The application area is comprised of seven separate sections, grouped together as: <ul style="list-style-type: none"> Area 1 (south west; one section of 3.74 hectares): historical disturbance has resulted in this area being predominantly cleared, with scattered large trees and denser vegetation on the eastern, southern and western perimeters. The applicant advised that this area is proposed to be utilised for avocado farming. Area 2 (north west; three sections totalling 1.58 hectares): historical disturbance has resulted in the removal of much of the understorey vegetation, with scattered trees. The applicant advised that clearing would be limited to regrowth vegetation and that this area is proposed to be used for pasture.

- Area 3 (north east; one section of 3.23 hectares): vegetation structure and condition is largely intact. The applicant advised that large trees are to be retained in this area and that the area is proposed to be used for pasture.
- Area 4 (south east; two sections totalling 0.95 hectares): historical disturbance has resulted in this area being predominantly cleared, with scattered large trees adjacent to denser vegetation. The applicant advised that this area is proposed to be utilised for avocado farming.

3. Assessment of application against clearing principles

Comments

The application is to clear 9.5 hectares of native vegetation within Lot 9720 (the Lot) on Deposited Plan 203087, Crowea, Shire of Manjimup, for the purpose of pasture and avocado farming.

The northern and southern portions of the Lot are steeply sloping towards a central valley. Two tributaries are located within the Lot, converging in the centre of the Lot before flowing west into Dombakup Brook, a major local waterway. Three surface water dams are fed by the tributaries within the Lot.

Both tributaries are extensively vegetated and separate Areas 1, 2 and 3. The western boundary of Area 1 is located adjacent to a Department of Parks and Wildlife-managed Class A National Park. The majority of the Lot is vegetated, with 80 percent remnant vegetation remaining within the local area (10 kilometre radius surrounding the application area).

There are 32 fauna species of conservation significance recorded within the local area (Parks and Wildlife, 2007-). While the application area may contain suitable habitat for a number of these species, given that there are extensive areas of surrounding remnant vegetation in better condition, including within the adjacent State Forest number 36 and State Forest number 39, it is considered that the application area is unlikely to contain significant habitat for these species. The application area may contain large trees suitable to be utilised as fauna habitat, and the retention of trees with a diameter at breast height of greater than 50 centimetres would assist in mitigating the risk of fauna habitat loss.

According to available datasets, no declared rare or priority-listed flora species have been recorded within the application area or within a five kilometre radius of the application area. Given the distance to the closest known records of declared rare or priority flora, extent of surrounding remnant vegetation and that the application area has been subject to historical disturbance, it is considered unlikely that the proposed clearing will significantly impact on priority or rare flora species.

According to available datasets, there are no known Threatened Ecological Communities or Priority Ecological Communities recorded within the local area.

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 application area is located within the Warren Interim Biogeographic Regionalisation for Australia (IBRA) region and Shire of Manjimup, which retain approximately 79.18 per cent and 84.15 per cent of their pre-European native vegetation extents respectively (Government of Western Australia, 2015). The application area is mapped as Beard vegetation associations 3 and 23, which retain approximately 78.07 and 72.12 percent of their pre-European vegetation extents within the Warren IBRA Bioregion respectively (Government of Western Australia, 2015). These extent figures are all greater than the abovementioned 30 per cent threshold, therefore the application area is not considered to be located within an extensively cleared landscape.

Approximately 0.3 hectares of Area 3 contains riparian vegetation directly upstream of a surface water dam. On this basis the proposed clearing will impact on vegetation growing in association with a watercourse, and may impact on the quality of surface water through increased sedimentation, transported via surface water flow down the topographic gradient and into the central tributary. Areas 1, 2 and 4 do not contain riparian vegetation and are located a minimum of 50 metres from buffer from the watercourse. Given the extent of riparian vegetation within Area 3 and the applicant's advice that large trees will be retained, it is considered that the proposed clearing is unlikely to significantly impact on environmental values of the watercourse. Further, sediments resulting from the proposed clearing are likely to enter the adjacent dam and are not expected to result in significant impacts to downstream surface water quality.

The Commissioner of Soil and Land Conservation advised that the risk of land degradation occurring as a result of the proposed clearing is low (CSLC, 2016).

The proposed clearing is unlikely to significantly impact on environmental values of adjacent conservation areas, or exacerbate the incidence of flooding. Notwithstanding, weed and dieback management will assist in minimising the potential for the spread of weeds or dieback into the adjacent State Forest 36 and 39.

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

Methodology References:
CSLC (2016)
Commonwealth of Australia (2001)
Government of Western Australia (2015)
Keighery (1994)
Parks and Wildlife (2007-)
Shepherd et al. (2001)

GIS datasets:
Parks and Wildlife Tenure
SAC Bio datasets accessed October 2016
Hydrography, Linear
Pre-European Vegetation

Planning instruments and other relevant matters.

Comments The applicant has previously been granted a clearing permit over four portions of Lot 9720 on Plan 203087 for the purpose of dam expansion and construction. Clearing Permit CPS 5983/1 was granted on 24 April 2014 and authorised the clearing of 0.8 hectares of native vegetation. Clearing Permit CPS 5983/2 was granted on 18 December 2014, superseding Clearing Permit CPS 5983/1 and increasing the extent of clearing authorised to 1.2 hectares. Clearing Permit CPS 5983/3 was granted on 12 May 2016, superseding Clearing Permit CPS 5983/2 and extending the duration of the permit to 24 May 2021. Area 3 of the current application is directly adjacent a portion of the clearing authorised under Clearing Permit CPS 5983/3.

The application was advertised by the Department of Environment Regulation in *The West Australian* newspaper on 22 September 2016 for a 21 day submission period (Areas 1, 2 and 3 only), and readvertised on 24 October 2016 for seven days to include Area 4. No submissions were received in relation to this application.

The Department of Water (DoW) advised that the application area "is located within Warren River and Tributaries Surface Water Area as proclaimed under the *Rights in Water and Irrigation Act 1914*" (Department of Water, 2016). DoW advised that the applicant "has a permit for the modification of 3 dams by desilting and other works to maintain dam capacity" and "an in-force surface water licence for an annual water entitlement of 30,000KL" (Department of Water, 2016).

DoW advised that "The proposed clearing has the potential to result in erosion, sediment transport and associated turbidity, particularly when carried out at the riparian section during the rainy period of the year when flows are highest. Increased nutrient, herbicide and pesticide input are potential risks associated with the horticultural landuse, particularly where the horticultural landuse is within the vicinity of the waterway" (Department of Water, 2016). The applicant advised that Areas 1 and 4 are proposed to be utilised for avocado farming.

To minimise the risks of erosion and nutrient input into the waterway, DoW recommended that the applicant "carries out best practice measures, consistent with the Department's *Water quality Protection Note 34 – Orchards near sensitive water resources*:-

- Having drainage channels properly located and designed to control erosion and nutrient transport.
- Establishing perennial grasses between planted rows to control erosion and attenuate nutrients
- Contour planting in steep areas to minimise erosion
- The use of ... pesticides and [fertilisers] follow best management practices such as applications during the dry period of the year ... and the use of slow release fertilisers and low environmental impact pesticides/herbicides.
- The use of organic fertilisers / soil amendments like manure, compost and mulch is encouraged
- In particular, DoW recommends that the proponent consider excluding the riparian zone from clearing/cultivation to minimise water quality impacts" (Department of Water, 2016).

Methodology References:
Department of Water (2016)

4. References

- Commissioner of Soil and Land Conservation (CSLC) CPS 7264/1 Application to clear native vegetation within Lot 9720 on Deposited Plan 203087, Crowea, Shire of Manjimup (DER ref: A1131366).
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra, Australia.
- Department of Parks and Wildlife (Parks and Wildlife) (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>.
- Government of Western Australia (2015) 2016 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of August 2016. WA Department of Parks and Wildlife, Perth.
- Department of Water (2016) Advice received in relation to clearing permit application CPS 7264/1. Department of Water, Government of Western Australia, Perth. (DER ref. A1173437).
- 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.