



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 7403/3
File Number: DER2016/000409
Duration of Permit: From 12 May 2017 to 12 May 2021

PERMIT HOLDER

Red Moon Property Holdings Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Lot 1 on Plan 8940, Beedelup

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 48.12 hectares of native vegetation within the combined areas hatched yellow and hatched red on attached Plan 7403/3.

CONDITIONS

1. Type of clearing authorised

This Permit does not authorise the Permit Holder to clear native vegetation between 1 May and 31 September of any given year within the area cross-hatched red on attached Plan 7403/3.

2. Avoid, minimise and reduce the impacts and extent of clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- (a) avoid the clearing of native vegetation;
- (b) minimise the amount of native vegetation to be cleared; and
- (c) reduce the impact of clearing on any environmental value.

3. 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.

4. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

5. Records must be kept

The Permit Holder must maintain the following records:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
 - (i) the species composition, structure and density of the cleared area;
 - (i) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
 - (ii) the date that the area was cleared;

- (iii) the size of the area cleared (in hectares);
- (iv) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 2 of this Permit; and
- (v) actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 3 of this Permit.

6. Reporting

The Permit Holder must provide to the *CEO* the records required under condition 5 of this Permit, when requested by the *CEO*.

DEFINITIONS

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

CEO means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*;


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 Biodiversity, Conservation and Attractions Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.


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Ryan Mincham
MANAGER
NATIVE VEGETATION REGULATION

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

6 February 2020

Plan 7403/3

115°58'48.000"E

116°0'0.000"E

34°19'12.000"S

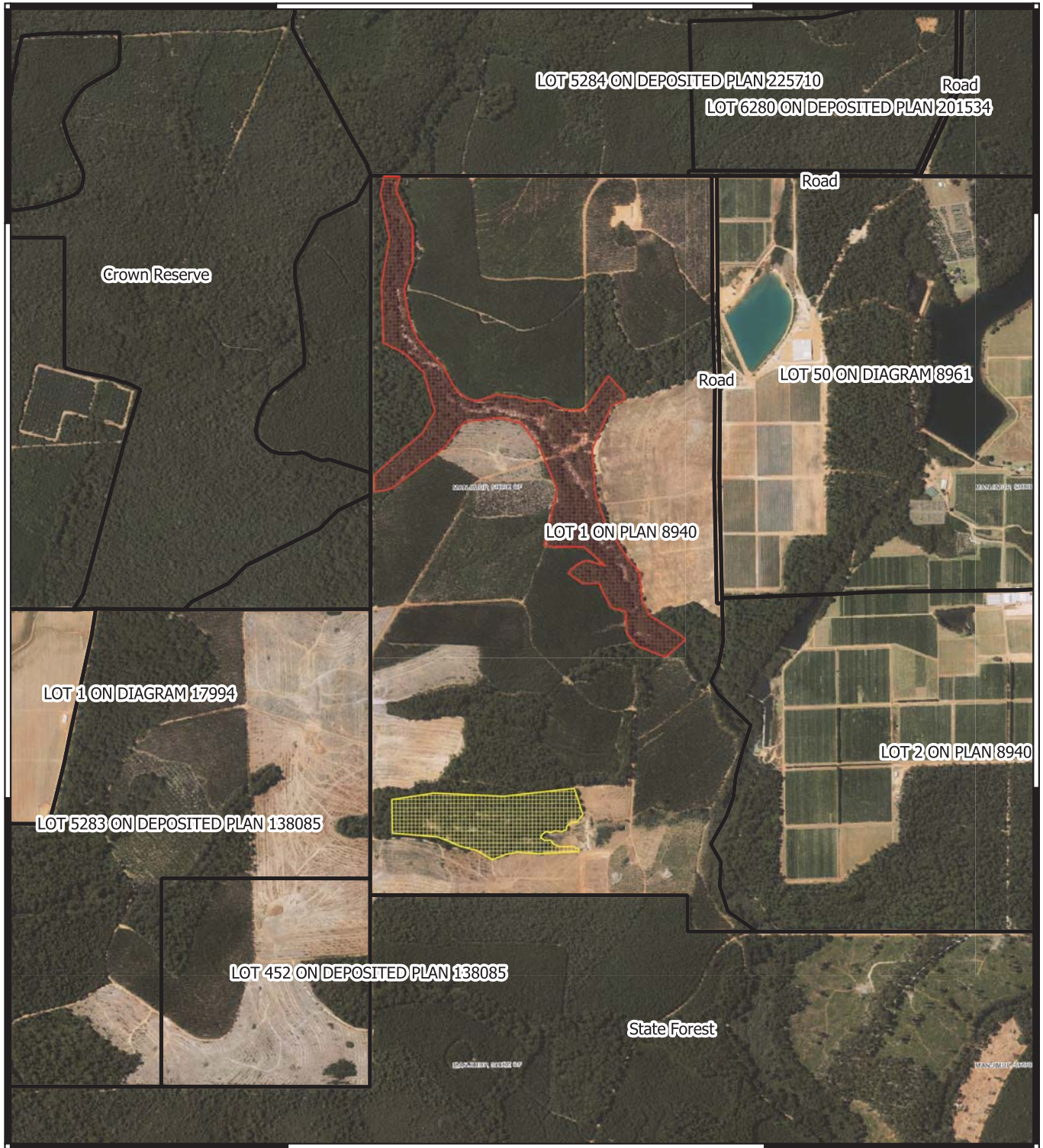
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Legend

CPS layers

-  CPS subject to conditions
-  CPS areas approved to clear

base layers

-  Cadastrre - LGATE 218

Local Government Authority (LGA) Boundaries (LGATE-233)

0 250 500 750 1000 m



Ryan Mincham

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Officer delegated under section 20 of the
Environmental Protection Act 1986



GOVERNMENT OF
WESTERN AUSTRALIA



1. Application details

1.1. Permit application details

Permit application No.: 7403/3
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Red Moon Property Holdings Pty Ltd ATF the Red Moon Property Trust

1.3. Property details

Property: Lot 1 on Plan 8940, Beedelup
Local Government Authority: Shire of Manjimup
Localities: Beedelup

1.4. Application

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

1.5. Decision on application

Decision on Permit: Granted
Decision Date: 6 February 2020

Reasons for Decision: The amendment application to extend the duration of clearing permit CPS 7403/2 was received on 9 October 2019, 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 principles (a), (c), (g), (h), (i), (j) and is not likely to be at variance to any of the remaining clearing principles.

The Delegated Officer determined that the proposed clearing may impact the environmental values of Donnelly State Forest and Greater Beedelup State Forest through the possible introduction or spread of weeds and dieback. Weed and dieback management measures will minimise the threat of these impacts to State Forest.

The Delegated Officer determined that the proposed clearing may cause appreciable land degradation, in the form of water erosion, causing deterioration of surface water quality. The Delegated Officer considers that a condition to not authorise clearing between 1 May and 31 September will ensure that clearing occurs during the dryer months of the year which mitigates the potential impacts from water erosion.

2. Site Information

Clearing Description The applicant proposes to clear 48.12 hectares of native vegetation within Lot 1 on Plan 8940, Beedelup, for the purpose of dam construction (Figure 1).

Vegetation Description The application area has been mapped as the following vegetation types:

- WH1: Tall open forest of *Eucalyptus diversicolor*-*Corymbia calophylla* on slopes and tall open forest of *Eucalyptus patens* on valley floor in perhumid and humid zones.
- YN1: Mixture of tall open forest of *Eucalyptus diversicolor* and tall open forest of *Corymbia calophylla*-*Eucalyptus patens*-*Eucalyptus marginata* subsp. *marginata* over *Agonis flexuosa* and *Agonis juniperina* on valleys in perhumid and humid zones.
- CRb: Tall open forest of *Corymbia calophylla*-*Eucalyptus diversicolor* on upper slopes with *Allocasuarina decussata*-*Banksia grandis* on upper slopes in hyperhumid and perhumid zones (Mattiske and Havel, 1998).

A site inspection undertaken by DWER staff on 30 January 2017 determined that the majority of the application area is closed forest consisting predominately of *Eucalyptus diversicolor* (Karri) and *Allocasuarina decussata* over bracken fern and *Malvaceae* sp. dominant understorey (Figure 2, DWER, 2017). *Lasiopetalum floribundum* was also common throughout (DWER, 2017). One area of peppermint trees (*Agonis flexuosa*) was observed within the application area (Figure 3, DWER, 2017).

Vegetation Condition Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).
To

Very Good; Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).

Vegetation condition was determined through a site inspection undertaken by DWER (2017).

Soil type

The vegetation types within the application area are associated with the mapped soil types:

- Wheatley Subsystem (Pimelia) – Shallow (20-40 m) minor valleys with low sideslopes (5-20%), and narrow swampy floors with a slightly incised stream channel. Soils are loamy gravels, sandy gravels and loamy earths (Schoknecht *et al.*, 2004). Vegetation type WH1 is associated with this soil type
- Yanmah Subsystem (Pimelia) – Shallow (5-20 m) minor valleys, usually U-shaped with gentle sideslopes (3-10%) and broad swampy floors. Soils are loamy gravels, sandy gravels and deep sands with non-saline wet soils on the valley floors (Schoknecht *et al.*, 2004). The YN1 vegetation type is associated with this soil type.
- Crowea (Pimelia), brown duplex Phase – Brown gravelly duplex soils and red earths; karri-marri forest (Schoknecht *et al.*, 2004). The vegetation type CRb is associated with this soil type.

Comments: The local area referred to in the assessment of this application is defined as a 10 kilometre radius measured from the perimeter of the application area.

A site inspection by DWER staff noted that the application area has previously been cleared, but has regenerated to very good (Keighery, 1994) condition (DWER, 2017).

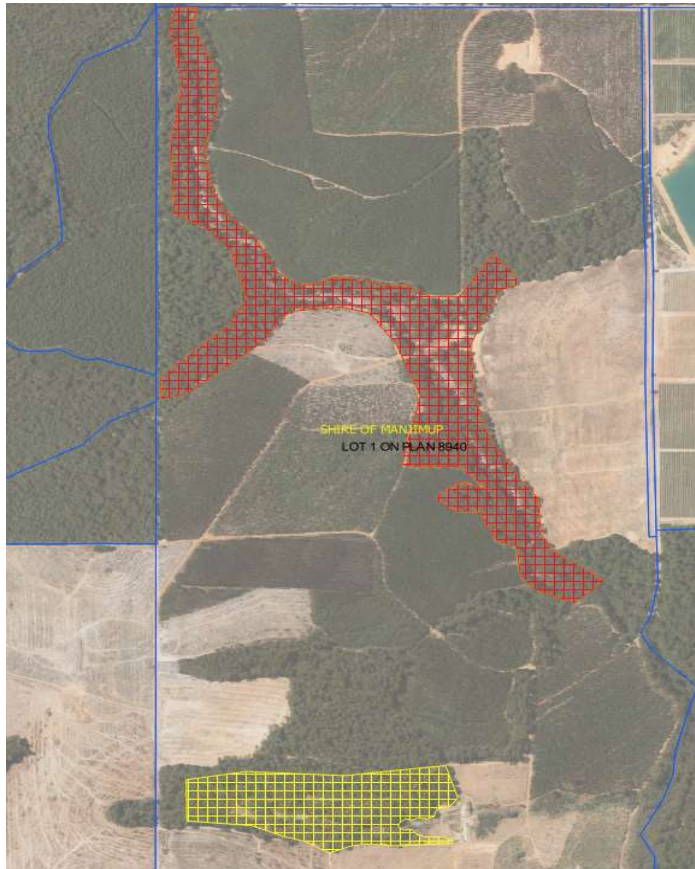


Figure 1: Application area includes the area hatched red and hatched yellow. The area hatched red is subject to additional erosion mitigation measures.



Figure 2: Vegetation typical of the application area, *Eucalyptus diversicolor* (Karri) and *Allocasuarina decussata* **Figure 3:** Small area of *Agonis flexuosa* (peppermint)

3. Assessment of application against clearing principles

Comments The initial assessment of this application against the clearing principles can be found in Decision Report CPS 7403/1 and subsequent assessment found in Decision Report CPS 7403/2.

A review of the available information determined that the proposed clearing of application area may be at variance with Principle (a) and Principle (c), with the habitat within the application area potentially suitable for *Caladenia harringtoniae* (Threatened). Although this application area is not the typical habitat for this species, it has been recorded in vegetation, soil types and landscape position consistent with the application area (DEWHA, 2008).

Additionally, the application area may provide suitable habitat for the following priority flora species:

- *Amanita kalamundae* (Priority 3)
- *Inocybe redolens* (Priority 2)
- *Rorippa cygnorum* (Priority 2)

These species have been recorded in the local area in association with *Eucalyptus diversicolor* (Karri), and some in association with watercourses. However, based on the lack of information on these species, or the lack of verified populations in the local area, it cannot be determined if the habitat is suitable; only that it may be suitable.

As the clearing permit has been in place since May 2017, it has been advised that the majority of the understorey species have already been cleared and only mature trees are remaining (Russo, 2018). As none of the conservation significant species outlined above are associated with disturbance the habitat is not likely to be suitable for these species.

Planning instruments and other relevant matters.

Comments The assessment against planning and other matters are still relevant and can be found in Decision Report CPS 7403/1.

Consultation with DWER indicated that there was no objection to the proposed clearing under the *Country Areas Water Supply Act 1947* permitting that there were no changes to the original proposal (DWER, 2019a), and that the applicant has a current bed and banks permit which will expire 14 June 2021 (DWER, 2019b).

The Shire of Manjimup commented on the proposed amendment to the clearing permit, stating they had no objections (Shire of Manjimup, 2019).

The topography of proposed clearing area for 'dam 1' at the northern end of Lot 1 is very steep and very likely to experience soil erosion if cleared during winter periods. The topography of the proposed clearing area of 'dam 2' in the southern end of Lot 1 is significantly less, and is therefore less susceptible to soil erosion, particularly as erosion mitigation measures (erosion containment drains) will be in place prior to clearing.

4. References

Department of Water and Environment Regulation (DWER) (2017) Site Inspection Report for Clearing Permit Application CPS 7403/1. Site inspection undertaken 30 January 2017. Department of Water and Environment Regulation, Western Australia (DWER Ref: A1380437).

Department of Water and Environment Regulation (DWER) (Regulatory Services – Water) (2019a) *Country Areas Water Supply Act 1947* advice (DWER Ref: A1839823).

Department of Water and Environment Regulation (DWER) (Regulatory Services – Water) (2019b) Bed and Banks Permit advice (DWER Ref: A1839823).

Department of the Environment, Water, Heritage and the Arts (DEWHA) (2008). *Approved Conservation Advice for Caladenia harringtoniae (Harrington's Spider-orchid)*. Canberra: Department of the Environment, Water, Heritage and the Arts.

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.

Russo, Sam (2018) Email correspondence from applicant indicating that the understorey has been cleared in 2017. Received by DWER on 19 July 2018 (DWER Ref: A1704269).

Schoknecht, N., Tille, P. and Purdie, B. (2004) Soil-landscape mapping in South-Western Australia – Overview of Methodology and outputs' Resource Management Technical Report No. 280. Department of Agriculture.

Shire of Manjimup (2019) Supporting information for clearing permit amendment CPS 7403/3. Shire of Manjimup. Received by DWER on 27 November 2019 (DWER Ref: A1845808).

GIS databases:

- DBCA TPFL flora (updated 03/12/2019)
- DBCA WAHerb flora (updated 03/12/2019)
- DBCA Threatened and Priority Community (updated 19/10/2019)
- DBCA Threatened Fauna (updated 01/12/2018)