



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

### PERMIT DETAILS

Area Permit Number: CPS 7703/1

Duration of Permit: From 28 October to 28 October 2019

### PERMIT HOLDER

Mr Nathaniel Muir

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 9064 on Plan 201680, Glenoran

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 1.5 hectares of native vegetation and 8 native trees within the combined areas cross-hatched yellow on attached Plan 7703/1.

### CONDITIONS

#### 1. Western Ringtail Possum Management

- (a) In relation to the area cross hatched yellow on attached Plan 7703/1, the Permit Holder must engage a *fauna specialist* to inspect that area immediately prior to, and for the duration of, clearing, for the presence of western ringtail possum(s) (*Pseudocheirus occidentalis*).
- (b) Clearing must cease in any area where a western ringtail possum (*Pseudocheirus occidentalis*) is identified until either:
  - (i) the individual has been removed by a *fauna specialist*; or
  - (ii) the individual has moved on from that area to adjoining *suitable habitat*.
- (c) Any western ringtail possum (*Pseudocheirus occidentalis*) individuals removed in accordance with condition 2(b)(i) of this Permit must be relocated by a *fauna specialist* to *suitable habitat*.
- (d) Where a western ringtail possum(s) (*Pseudocheirus occidentalis*) is identified under condition 2(a) of this Permit, the Permit Holder must provide the following records to the *CEO* as soon as practicable:
  - (i) the number of individuals identified;
  - (ii) the date each individual was identified;
  - (iii) the location where each individual was identified recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
  - (iv) the number of individuals removed and relocated;
  - (v) the date each individual was removed;
  - (vi) the date each individual was relocated;
  - (vii) the location where each individual was relocated to, recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees; and
  - (viii) details pertaining to the circumstances of any death of, or injury sustained by, an individual.



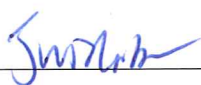
## DEFINITIONS

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*;

**fauna specialist:** means a person who holds a tertiary qualification specialising in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*; and

**suitable habitat:** means habitat known to support western ringtail possums (*Pseudocheirus occidentalis*) within the known current distribution of the species. This often includes stands of myrtaceous trees (usually Peppermint Tree (*Agonis flexuosa*)) growing near swamps, watercourses or floodplains, and at topographic low points which provide cooler, often more fertile, conditions.



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James Widenbar  
MANAGER  
CLEARING REGULATION

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

28 September 2017

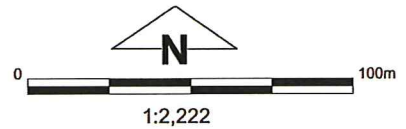


# Plan 7703/1



## Legend

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



(Approximate when reproduced at A4)  
GDA 94 (Lat/Long)  
Geocentric Datum of Australia 1994

*Sm...* Date *28/9/17*

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.: 7703/1  
Permit type: Area Permit

### 1.2. Applicant details

Applicant's name: Mr Nathaniel Muir

### 1.3. Property details

Property: LOT 9064 ON PLAN 201680, GLENORAN  
Local Government Authority: MANJIMUP, SHIRE OF  
DER Region: South Coast  
DPaW District: DONNELLY  
Localities: GLENORAN

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1.5	8	Mechanical Removal	Dam construction or maintenance

### 1.5. Decision on application

Decision on Permit Application: Granted  
Decision Date: 28 September 2017

Reasons for Decision: The clearing permit application was received on 19 July 2017 and has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the *Environmental Protection Act 1986*, and it has been concluded that the proposed clearing is at variance to clearing principle (f), may be at variance to clearing principle (b), and is not likely to be at variance to any of the remaining clearing principles.

The Delegated Officer determined that the proposed clearing area contains suitable habitat for western ringtail possums and there is a likelihood the species may occur within the proposed clearing area. The Delegated Officer noted the highly vegetated local landscape with numerous State Forests surrounding the application area and considers that potential impacts the Western ringtail possum can be adequately minimised and avoided via management measures including having a fauna spotter present during clearing activities to assist in minimising individual mortality.

The Delegated Officer has determined that the proposed clearing is not likely to result in any significant environmental impacts.

## 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
Mattiske Vegetation PM1 Complex consists of (Mattiske and Havel, 1998), Beard Vegetation Association 1144 is described as Tall forest; karri & marri ( <i>Corymbia calophylla</i> ) (Shepherd et al, 2001).	The application is to clear 1.5 hectares of native vegetation and 8 native trees within Lot 9064 on Deposited Plan 201680, Glenoran, for the purpose of constructing a dam.	Very Good; Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).	The vegetation condition was determined via aerial imagery and a site inspection undertaken by the Department of Water and Environmental Regulation (DWER) officers (DWER, 2017).





### 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 likely to be at variance to this Principle**

The application is to clear 1.5 hectares of native vegetation and 8 native trees within Lot 9064 on Deposited Plan 201680, Glenoran, for the purpose of constructing a dam.

A site inspection undertaken by DWER officers found the vegetation within the application area to be in very good (Keighery, 1994) condition (DWER, 2017a).

As discussed under Principle (b), the application area contains *Agonis flexuosa* (peppermint trees), which is suitable habitat for Western Ringtail Possum.

As discussed under Principle (c), no rare flora species are likely to occur within the application area.

As discussed under Principle (d), no threatened ecological communities (TEC) have been mapped within the application area.

One Priority Ecological Community (PEC) is mapped within the local area, the Priority 3 'Epiphytic Cryptogams of the karri forest', but is not mapped within the application area. 'Epiphytic Cryptogams of the karri forest' is described as *Cryptogams* associated with *Trymalium odoratissimum* subsp. *odoratissimum* and *Chorilaena quercifolia* in the karri forests of south-west WA. Comprises liverworts, mosses and lichens found on the bark of mature (plants greater than 15 years old and prior to senescence at about age 50) of *Trymalium odoratissimum* subsp. *odoratissimum* and *Chorilaena quercifolia* in the karri forest of south-west Western Australia (DBCA, 2017a). The vegetation within the application area is predominantly *Agonis flexuosa* with some riparian vegetation and is therefore not representative of the PEC.

As discussed under Principle (e), the vegetation under application is mapped within Mattiske Vegetation Complex PM1 which contains approximately 64.77 per cent of its pre-European vegetation extent remaining.

Noting the above information, it is unlikely the proposal is at variance to this Principle.

##### Methodology

References:  
DBCA (2017a)  
DWER (2017a)  
Keighery, 1994

#### (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 may be at variance to this Principle**

According to available databases, six fauna species listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950* has been recorded within the local area. Additionally, one fauna species protected under international agreement, one other specially protected fauna, one Priority 1 fauna species and four Priority 4 fauna species were recorded within the local area (Department of Parks and Wildlife, 2007-).

DBCA advised that Forest red-tailed Black Cockatoo and Baudin's cockatoo are likely to occur within the local area, however based on photographs of the assessment area, it is unlikely they would use the vegetation in the proposed clearing area and that the Quokka occurs within the DBCA estate to the south of the application area, however it is unlikely to occur within the application area (DBCA, 2017b).

DBCA further advised that a Western Ringtail Possum was recorded in the last 12 months approximately 600 metres south of the application area. Noting the proximity of the sighting and the vegetation present, it is probable that Western Ringtail Possums occur within the area (DBCA, 2017b).

The site inspection undertaken by DWER recorded the vegetation in the application area to consist predominantly of dense mature peppermint trees (*Agonis flexuosa*), with some riparian vegetation emerging in proximity to the watercourse. During the site inspection, there were no direct observations of Western Ringtail Possum's within the application area, however the vegetation is considered to be suitable habitat (DWER, 2017a).

The local area is over 70 per cent vegetated and the application area is surrounded by State Forest, including the Donnelly, South East Nannup and North Donnelly State Forests, which are likely to provide the same or better habitat to that with the application area. However, noting the recent sighting of a Western Ringtail Possum within proximity to the application area and the presence of suitable habitat in the form of dense, mature peppermint trees, the species may utilise the application area.

Noting the above, clearing of the application may be considered significant for fauna indigenous to Western Australia. Potential impacts the Western ringtail possum can be adequately minimised and avoided via management measures including having a fauna spotter present during clearing activities to assist in minimising individual mortality.

Given the above, the proposed clearing may be at variance to this Principle.



**Methodology** References:  
 DBCA (2017b)  
 DWER (2017a)  
 Parks and Wildlife (2007-)

**(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**  
 According to available datasets, no rare flora species have been recorded within the local area (10 kilometre radius).  
 Department of Biodiversity, Conservation and Attractions (DBCA) advised that no threatened flora are known to occur within the vegetation complex in the application area (DBCA, 2017b).  
 Noting the above, the proposed clearing is not likely to be at variance to this Principle.

**Methodology** References:  
 DBCA (2017b)  
 GIS Datasets:  
 SAC Bio datasets – Accessed September 2017

**(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**  
 No TEC's have been recorded within the local area (10 kilometre radius). Therefore, the application area is not likely to comprise the whole or part of, or be necessary for the maintenance of a TEC.  
 The proposed clearing is not likely to be at variance to this principle.

**Methodology** GIS Datasets:  
 SAC Bio Datasets – accessed September 2017

**(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 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).  
 As indicated in Table 1, the current extents of native vegetation within the Warren bioregion, Shire of Manjimup and represented by Beard vegetation association 1144 and Mattiske vegetation complex PM1 are above the minimum 30 per cent representation threshold.  
 The local area (10 kilometre radius) retains approximately 71.4 per cent (approximately 23,131 hectares) of vegetation cover, and the application area represents approximately 0.006 per cent of this current extent.  
 Given the small scale of clearing proposed and the extent of vegetation remaining in the local and bioregional areas, the area under application is not considered to be a significant remnant of native vegetation in an area that has been extensively cleared; and therefore not likely to be at variance to this Principle.

Table 1: Vegetation extents

	Pre-European (ha)	Current Extent (ha)	Remaining (%)	Extent in Parks and Wildlife Managed Lands (%)
<b>IBRA Bioregion*</b>				
Warren	833,985.55	660,309.68	79.18	84.49
<b>Local Government Authority*</b>				
Shire of Manjimup	697,368.15	586,852.23	84.15	93.78
<b>Beard Vegetation Association in Bioregion*</b>				
1144	159,668.36	128,191.04	80.29	92.16
<b>Mattiske Vegetation Complex**</b>				
PM1	25,801.16	16,710.13	64.77	58.03

**Methodology** References:  
 Commonwealth of Australia (2001)  
 \*Government of Western Australia (2016)



\*\* Government of Western Australia (2017)

GIS Databases:  
Imagery  
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**

There are no mapped wetlands within the local area of the proposed clearing. However, the application area is in association with an unnamed minor perennial watercourse which is a tributary of the Donnelly River, approximately 4 kilometres to the west. The application area contains riparian vegetation in proximity to the watercourse; therefore the proposed clearing is at variance with this principle.

The application area consists predominantly of dense mature peppermint trees (*Agonis flexuosa*), with the area of the riparian vegetation within the application area approximately 0.15 hectares.

The loss of riparian vegetation associated with the clearing proposal is not considered to be significant and no residual impacts are expected from the proposed clearing.

**Methodology** GIS Databases:  
Hydrography, linear  
Important Wetlands- Western Australia  
RAMSAR wetlands  
Geomorphic Wetlands, Augusta to Walpole

**(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 application area is mapped as the Pemberton subsystem which is described as "Flat to gently sloping floors. Few channels. 3 to 10 deg. Smooth slope. Red or yellow gradational soils, not calcareous with some red duplex soils" (Department of Primary Industries and Regional Development (DPIRD), 2017).

Groundwater salinity is mapped at 500-1000mg/L total dissolved solids (milligrams per litres). The application area is mapped as having no known risk of acid sulfate soils or potential acid sulfate soils occurring within three metres of the soil surface.

Noting the size of the proposed clearing and the above mapped risks, clearing is not likely to cause appreciable land degradation.

**Methodology** References:  
DPIRD (2017)

**(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 likely to be at variance to this Principle**

With the local area, the application area is surrounded by the Donnelly, North Donnelly and South East Nannup state forests. The Donnelly state forest is located approximately 400 metres south of the application area.

Noting the application areas small size and that it is not connected with the surrounding State Forest, clearing is unlikely to impact on the values of the nearby conservation reserves.

**Methodology** GIS Databases:  
DPaW Estate (Statewide)

**(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 application area intersects with a minor perennial water course and is located within the Donnelly River System as proclaimed under the *Rights in Water and Irrigation Act 1914*.

The application area is also located within the Donnelly River Water Reserve which is a 'Priority Not Assigned' Public Drinking Water Source Area (PDWSA). The South West Region of DWER advise that due to the rural zoning of the application area, the PDWSA is a potential Priority 2 (P2) in accordance with the Department's Water Quality Protection Note No. 25 'Land use compatibility tables for public drinking water source areas' (DWER, 2017b).

P2 PDWSA areas are defined and managed to maintain or improve the quality of the drinking water source



with the objective of risk minimisation (DWER, 2017b).

Groundwater salinity is mapped at 500-1000mg/L total dissolved solids (milligrams per litres). The application area is mapped as having no known risk of acid sulfate soils or potential acid sulfate soils occurring within three metres of the soil surface.

The South West Region of DWER advised the proposed clearing is considered low risk in relation to erosion and turbidity due to the existing dam acting as a settlement pond for turbidity (DWER, 2017b).

The risks related to subsequent landuse of extending the existing dam relates to a reduced availability of water, as well as fertiliser and herbicide input (DWER, 2017b). The applicant has applied for a Section 5C licence and a Section 17 licence under the *Rights in Water and Irrigation Act (1914)* (RIWI Act). The risks identified above will be subsequently managed appropriately under the RIWI Act. Any other impacts to water are expected to be temporary and minor as the proposed clearing is for an extension to an existing dam.

Noting there are limited risks associated with clearing, and risks associated with the subsequent landuse of extending the existing dam will be mitigated or managed under the RIWI Act, the clearing is not likely to cause deterioration of water quality

**Methodology** References:  
DWER (2017b)

GIS Databases:  
Groundwater Salinity, Statewide - DOW;

**(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 likely to be at variance to this Principle**

The area under application northward sloping topography, following the minor water course. The rainfall in the local area is approximately 1200 millimetre per annum and the evapotranspiration is approximately 800 millimetre per annum.

The application area is within the Pemberton subsystem which is mapped as having 3 per cent risk of a moderate to high flood hazard (DPIRD, 2017)

Noting the above, the clearing is not likely to cause or exacerbate the incidence of flooding.

**Methodology** References:  
DPIRD (2017)

GIS Databases:  
Mean Annual Rainfall Isohytes  
SAC Biodatasets - Accessed September 2017  
Topographic Contours, Statewide

**Planning instruments and other relevant matters.**

**Comments** The proposed clearing overlaps and is adjacent with CPS 1863/1. CPS 1863/1 is an expired permit that was granted on the same property for the same purpose as the application area.

A section 17 permit to 'interfere with bed and banks' and a section 5C licence 'to take' surface water for this application is currently being assessed by the Water division of DWER (DWER, 2017b).

The Shire of Manjimup advised planning approval is not required unless the extension to the dam wall is to be less than 20 metres from any lot boundary (Shire of Manjimup, 2017).

The application was advertised online on 10 August 2017 for a 21 day submission period. No submissions have been received in relation to this application.

There are no Aboriginal sites of significance within the application area.

**Methodology** References:  
DWER (2017b)  
Shire of Manjimup (2017)

GIS Databases:  
Aboriginal Sites Register





#### 4. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Department of Biodiversity, Conservation and Attractions (2017a), Priority Ecological Communities for Western Australia Version 27, 30 June 2017, Species and Communities Branch, Department of Biodiversity, Conservation and Attractions, accessed 18 September 2017.
- Department of Biodiversity, Conservation and Attractions (2017b), Regional advice for Clearing Permit Application CPS 7703/1 received 8 September 2017 (DWER ref: A1525300).
- Department of Parks and Wildlife(2007- ) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed June 2017
- Department of Water and Environmental Regulation (2017a), Site Inspection for Clearing Permit Application CPS 7703/1 undertaken 22 August 2017 (DWER ref: A1525562).
- Department of Water and Environmental Regulation (2017b), Water advice for Clearing Permit Application CPS 7703/1 received 21 August 2017 (DWER ref: A1508701).
- Department of Primary Industries and Regional Development (DPIRD) (2017). NRInfo Digital Mapping. Department of Primary Industries and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/> (accessed 18 September 2017).
- Government of Western Australia. (2016) 2016 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2016) WA Department of Parks and Wildlife, Perth.
- Government of Western Australia. (2017) 2016 South West Vegetation Complex Statistics. Current as of December 2016. 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.
- 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.
- 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 (2017) Planning advice for Clearing Permit Application CPS 7703/1. Received on 11 August 2017 (DWER Ref: A1504361)
- Western Australian Herbarium (1998- ) FloraBase - The Western Australian Flora. Department of Parks and Wildlife. <http://florabase.dpaw.wa.gov.au/> (Accessed September 2016).

