



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 7766/1

Duration of Permit: From 28 February 2018 to 28 February 2020

PERMIT HOLDER

Mr Grant Chisholm

LAND ON WHICH CLEARING IS TO BE DONE

Lot 9060 on Deposited Plan 201680, Glenoran

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 7766/1.

CONDITIONS

1. 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.

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.

3. Western Ringtail Possum Management

- (a) In relation to the area cross hatched yellow on attached Plan 7766/1, 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 3(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 3(a) of this Permit, the Permit Holder must keep the following records:

- (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.

4. Direction of clearing

The Permit Holder shall conduct clearing in a progressive manner from one direction to the other (e.g. west to east) to allow fauna to move into adjacent native vegetation ahead of the clearing activity.

5. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit.

- (a) In relation to the clearing of native vegetation authorised under this Permit:
 - (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 or decimal degrees;
 - (ii) the date that the area was cleared;
 - (iii) the size of the area cleared (in hectares); and
 - (iv) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 1 of this Permit.
- (b) In relation to fauna management pursuant to condition 3 of this Permit, the records required under condition 3(d) 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 or Delegated Officer

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*;

Delegated Officer: means the person appointed by the CEO to administer the clearing provisions under the *Environmental Protection Act 1986*;

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

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, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*;

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;

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; and

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.



Mathew Gannaway
MANAGER
CLEARING REGULATION

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

30 January 2018

Plan 7766/1



Legend

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




1:7,312

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

 Date 30/01/2018

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



GOVERNMENT OF
WESTERN AUSTRALIA
WA Crown Copyright 2018



1. Application details

1.1. Permit application details

Permit application No.: 7766/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Mr Grant Chisholm

1.3. Property details

Property: Lot 9060 on Deposited Plan 201680, Glenoran
Local Government Authority: Manjimup, Shire of
Localities: Glenoran

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: Grant
Decision Date: 30 January 2018

Reasons for Decision: The clearing permit application was received on 13 September 2017 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 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.

Through the assessment it was determined that the proposed clearing area contains Western Ringtail Possum (*Pseudocheirus occidentalis*) habitat trees. The Delegated Officer noted the highly vegetated surrounding landscape and considers that potential impacts to this species can be adequately minimised and/or avoided by imposing fauna management measures.

In determining to grant a clearing permit subject to conditions, the Delegated Officer found that the proposed clearing is unlikely to lead to any unacceptable risk to the environment.

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Clearing Description

The application is to clear 1.5 hectares of native vegetation within Lot 9060 on Deposited Plan 201680, Glenoran, for the purpose of constructing a dam.

Vegetation Description

One Mattiske Vegetation Complex is mapped within the application area:

Pemberton (PM1): Tall open forest of *Eucalyptus diversicolor* with mixtures of *Corymbia calophylla* on valley slopes and low forest of *Agonis juniperina*-*Banksia seminuda*-*Callistachys lanceolata* on valley floors in the perhumid zone (Mattiske and Havel, 1998).

Vegetation Condition

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

Comment

The vegetation condition was determined via aerial imagery and site photographs supplied by the applicant and a site inspection undertaken by Department of Water and Environmental Regulation (DWER) officers (DWER, 2017a and 2017b).

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Proposed clearing is not likely to be at variance to this Principle

The vegetation consists of a closed forest of *Taxandria linearifolia*, with *Melaleuca* sp. over a dense sedge layer. *Agonis flexuosa* is present within the north east of the application area and the invasive blackberry (**Rubus* sp.) is beginning to establish. The vegetation within the application area is in a Very good (Keighery, 1994) condition (DWER, 2017a and 2017b).

Three priority listed flora species are recorded within the local area, with none known from the application area. Two of the species, namely *Pultenaea piniifolia* (Priority 3) and *Stylidium ireneae* (Priority 4), are known to occur on loam or clay soils and creeklines/swampy areas, similar to the application area. Both species occur over a wide geographical area between Perth and Manjimup. As such, these species are known from several populations, some within conservation reserves, and are not considered to be under any immediate threat. Any impact to populations or individuals of the P3 and P4 species is not considered to impact the conservation status of the species.

As discussed under Principle (b), the application area contains suitable habitat for Western ringtail possum (WRP).

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. It 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 riparian vegetation and is therefore not representative of the PEC.

Noting the above information, the proposed clearing is not likely to be at variance to this Principle.

(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.

Proposed clearing may be at variance to this Principle

According to available databases, eight terrestrial fauna species listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950* (WC Act) have been recorded within the local area (Parks and Wildlife, 2007-).

The Department of Biodiversity, Conservation and Attractions (DBCA) advised that the Forest red-tailed Black Cockatoo, Baudin's cockatoo and the Quokka (which occurs within DBCA estate to the south) are likely to occur within the local area. However, the vegetation within the proposed clearing area appears unsuitable for these species (DBCA, 2017b).

As discussed within Principle (a), the site inspection undertaken by DWER noted the vegetation under application to consist of a closed forest of *Taxandria linearifolia*, with *Melaleuca* sp. over a dense sedge layer. *Agonis flexuosa* is present within the north east of the application area. No direct observations of WRP were made within the application area, however the vegetation is considered to be suitable habitat (DWER, 2017b).

DBCA further advised that a WRP was recorded in the last 18 months approximately 600 metres south of the application area and another record within two kilometres of the application area. Noting the proximity of this sighting and the vegetation present, it is probable that WRP may occur within the proposed clearing area (DBCA, 2017b and 2017c).

The local area (10 kilometre radius) retains approximately 71 per cent of vegetation cover with the application area 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 of the application area. However, noting the recent observation of a WRP within close 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.

None of the remaining fauna species listed as rare or likely to become extinct under the WC Act that have been recorded within the local area are likely to utilise the application area.

Given the above, the application area may be considered significant habitat for fauna indigenous to Western Australia and the proposed clearing may be at variance to this Principle.

Potential impacts to the WRP can be minimised and avoided by fauna management measures, including pre-clearance surveys and directional clearing.

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.

Proposed clearing is not likely to be at variance to this Principle

According to available datasets, one rare flora species has been recorded within the local area (10 kilometre radius) however

not within the application area.

This species usually inhabits paperbark and flooded gum swamps and flats which are inundated for several months of the year; but may also be found along creeklines in jarrah and karri forest. The application area consists of a closed forest of *Taxandria linearifolia*, with *Melaleuca* sp. over a dense sedge layer and *Agonis flexuosa*. The application area does not contain suitable habitat for this species.

Noting the above, the proposed clearing is not likely to be at variance to this Principle.

(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.

Proposed clearing is not likely to be at variance to this Principle

No TECs have been recorded within the local area (10 kilometre radius) or within the application area. 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.

(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.

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 below, the current extents of native vegetation within the Warren Interim Biogeographic Regionalisation for Australia (IBRA) Bioregion and Shire of Manjimup, and represented by Matiske vegetation complex PM1, are above the minimum 30 per cent representation threshold.

The local area (10 kilometre radius) retains approximately 71 per cent (approximately 23,131 hectares) of vegetation cover.

Given the small scale of proposed clearing 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 is 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 (%)
IBRA Bioregion*				
Warren	833,985.55	660,309.68	79.18	84.49
Local Government Authority*				
Shire of Manjimup	697,368.15	586,852.23	84.15	93.78
Matiske vegetation complex**				
PM1	25,801.16	16,710.13	64.77	58.03

*Government of Western Australia (2016)

** Government of Western Australia (2017); Matiske and Havel (1998)

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Proposed clearing is at variance to this Principle

There are no mapped wetlands within the local area (10 kilometre radius).

The application area is comprised of riparian vegetation and intersects a minor non-perennial watercourse which is a tributary of the Donnelly River. The application area is also a part of the Donnelly River Water Reserve 'Priority Not Assigned' Public Drinking Water Source Area (PDWSA). These areas are defined and managed to maintain or improve the quality of the drinking water source with the objective of risk minimisation. Potential risks associated with clearing in these areas relate to water erosion and turbidity issues. DWER's South West Region advise that the proposed clearing is considered low risk in relation to erosion and turbidity due to such dams acting as a settlement pond for turbidity (DWER, 2017c).

The loss of riparian vegetation associated with the proposed clearing is not considered to be significant with any other impacts to the watercourse expected to be temporary and minor as the proposed clearing is for the creation of a dam.

As riparian vegetation is proposed to be cleared, the proposed clearing is at variance to this Principle.

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

Proposed clearing is not likely to be at variance to this Principle

The application area is mapped as Pemberton subsystem soils which are described as "Flat to gently sloping floors. Few channels at 3 to 10 degrees. Smooth slope. Red or yellow gradational soils, not calcareous with some red duplex soils" (DPIRD, 2017).

Groundwater salinity is mapped at 500-1000mg/L total dissolved solids (milligrams per litres) which is considered low and not to be saline. The application area is mapped as having a low wind erosion risk with no known risk of acid sulphate soils or potential acid sulphate 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. The proposed clearing is not likely to be at variance to this Principle.

(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.

Proposed clearing is not likely to be at variance to this Principle

The application area occurs in close proximity to the Donnelly, North Donnelly and South East Nannup State Forests, with the Donnelly State Forest the closest at approximately 600 metres south of the application area.

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

Given the above, the proposed clearing is not likely to be at variance to this Principle.

(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.

Proposed clearing is not likely to be at variance to this Principle

As discussed in under Principles (f) and (g), the proposed clearing is not likely to impact on groundwater salinity, acid sulphate soils or increase the erosion or turbidity within the minor non-perennial water course.

Given the above, the proposed clearing is not likely to be at variance to this Principle.

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.

Proposed clearing is not likely to be at variance to this Principle

The area under application has a 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 three per cent risk of a moderate to high flood hazard (DPIRD, 2017).

Noting the above, the mapped soil type and size of the proposed clearing, the proposed clearing is not likely to cause or exacerbate the incidence of flooding and is not likely to be at variance to this Principle.

Planning instruments and other relevant matters.

The application was advertised on DWER's website on 11 October 2017 for a 21 day submission period. No submissions have been received in relation to this application.

The application area intersects a minor non-perennial water course and is located within the Donnelly River System Surface Water Area as proclaimed under the *Rights in Water and Irrigation Act 1914* (RIWI Act).

The application area is also located within the Donnelly River Water Reserve which is a 'Priority Not Assigned' Public Drinking Water Source Area (PDWSA). As the application area is zoned rural, the PDWSA is listed as a Priority 2 (P2) PDWSA in accordance with DWER's Water Quality Protection Note No. 25 'Land use compatibility tables for public drinking water source areas' (DWER, 2017c).

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, 2017c). Potential risks associated with clearing in these areas relate to water erosion and turbidity issues.

The risks related to subsequent landuse of such dams relates to a reduced availability of water, as well as fertiliser and herbicide input (DWER, 2017c). The applicant has applied for a Section 5C licence and a Section 17 licence under the RIWI Act, with approvals to coincide with the granting of the Clearing Permit (DWER, 2017d).

The risks identified above will be subsequently managed appropriately under the RIWI Act. Any other impacts to water are
CPS 7766/1

expected to be temporary and minor as the proposed clearing is for creation of a dam.

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).

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

4. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Department of Biodiversity, Conservation and Attractions (DBCA) (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 (DBCA) (2017b), Regional advice for Clearing Permit Application CPS 7703/1 received 8 September 2017 (DWER Ref: A1525300).
- 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/>.
- Department of Water and Environmental Regulation (DWER) (2017a) Application for Clearing Permit Application CPS 7766/1 Supporting documentation - site photographs from applicant received 13 November 2017 (DWER ref: A1584285).
- Department of Water and Environmental Regulation (DWER) (2017b) Application for Clearing Permit Application CPS 7766/1 Supporting documentation - site photographs from DWER obtained 15 November 2017 (DWER Ref: A1588673).
- Department of Water and Environmental Regulation (DWER) (2017c), Water advice received for Clearing Permit Application CPS 7703/1 received 21 August 2017 (DWER Ref: A1508701).
- Department of Water and Environmental Regulation (DWER) (2017d), Water advice received for Clearing Permit Application CPS 7766/1 received 8 December 2017 (DWER Ref: A1584286).
- 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/>.
- 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.
- Shire of Manjimup (2017) Planning advice for Clearing Permit Application CPS 7766/1. Received on 25 October 2017 (DWER Ref: A1554898)