



## **CLEARING PERMIT**

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

### **PERMIT DETAILS**

Area Permit Number: 7998/1

File Number: 2018/000317-1

Duration of Permit: From 20 September 2018 to 20 September 2020

### **PERMIT HOLDER**

Mr Tenzin James George Dick

### **LAND ON WHICH CLEARING IS TO BE DONE**

Lot 811 on Plan 301864, Linfane

### **AUTHORISED ACTIVITY**

The Permit Holder shall not clear more than 0.48 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7998/1.

### **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. Records must be kept**

The Permit Holder must maintain the following records for activities done pursuant to this Permit, in relation to the clearing of native vegetation authorised under this Permit:

- (a) 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;
- (b) the date that the area was cleared;
- (c) the size of the area cleared (in hectares);
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 1 of this Permit; and

#### **3. Reporting**

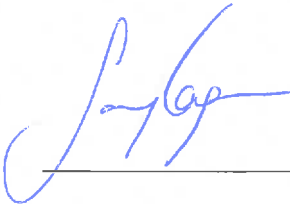
The Permit Holder must provide to the *CEO* the records required under condition 2 of this Permit, when requested by the *CEO* or *Delegated Officer*.

## 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*;



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Samara Rogers  
MANAGER  
NATIVE VEGETATION REGULATION





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

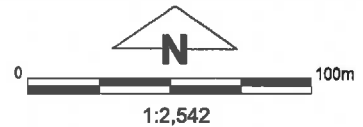
27 August 2018

# Plan 7998/1



## Legend

-  Roads
-  Imagery
-  Cadastre
-  Clearing Instruments Activities



(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

*[Signature]* Date *27/8/18*

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.: CPS 7998/1  
Permit type: Area Permit

### 1.2. Applicant details

Applicant's name: Mr Tenzin James George Dick  
Application received date: 19 February 2018

### 1.3. Property details

Property: LOT 811 ON PLAN 301864, LINFARNE  
Local Government Authority: MANJIMUP, SHIRE OF  
Localities: LINFARNE

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.48		Mechanical Removal	Dam construction, access roads, fences, timber harvesting, and livestock agriculture

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 27 August 2018

Reasons for Decision: The clearing permit application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act). It has been concluded that the proposed clearing is at variance to clearing principle (f), may be at variance to clearing principles (g) and (i), and is not likely to at variance to the remaining clearing principles.

Through assessment it was identified that the application area includes native vegetation growing in association with a watercourse. Given the small scale of the clearing, the Delegated Officer determined that the proposed clearing is not likely to have a significant impact on this watercourse.

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

## 2. Site Information

**Clearing Description:** The application for an Area Permit to clear 0.48 hectares of native vegetation within Lot 811 on Deposited Plan 301864, Linfame, for the purpose of dam construction, access roads, fences, timber harvesting, and livestock agriculture.

**Vegetation Description:** The application area is mapped as Matiske vegetation complex 'Yanmah (YN1), described as a mixture of tall open forest of *Eucalyptus diversicolor* and tall open forest of *Corymbia calophylla* (Marri)-*Eucalyptus patens* (Blackbutt)-*Eucalyptus marginata* subsp. *marginata* (Jarrah) over *Agonis flexuosa* (Peppermint) and *Agonis juniperina* on valleys in perhumid and humid zones. (Matiske and Havel, 1998).

A land degradation site inspection of the property found the native vegetation on the property to be a mixture of Marri, Jarrah, *Banksia* sp., and *Melaleuca* sp., with understorey riparian species (DPIRD, 2018).

Photographs provided by the applicant indicate that the vegetation within the application area is comprised primarily of fragmented remnant forest and riparian vegetation of *Corymbia calophylla* (Marri) and *Eucalyptus rudis* (Flooded Gum), over a number of native shrubs and sedges, such as *Pteridium esculentum* (Bracken), *Taxandria* sp., *Astartea* sp. and *Lepidosperma effusum* (Spreading Sword-sedge), with extensive weed incursion (primarily annual grasses and some *\*Rubus ulmifolius* (Blackberry)). (Figures 1-4).

**Vegetation Condition:** The condition of the vegetation within the application area is considered to be:

- Good: vegetation structure significantly altered by very obvious signs of multiple disturbance; retains basic structure or ability to regenerate (Keighery 1994).
- Degraded: Basic vegetation structure severely impacted by disturbance; scope for regeneration but not to a state approaching Good condition without intensive management (Keighery 1994).
- Completely Degraded: the structure of the vegetation is no longer intact and the area is completely or almost completely without native species (Keighery 1994).

A land degradation site inspection of the property found the native vegetation on the property to be in poor to very poor condition (DPIRD, 2018).



The condition of the vegetation within the application area was determined from photographs provided by the applicant and contained in the report of the land degradation site inspection. Though the condition of the vegetation ranges from good to completely degraded, the majority of the vegetation is in a degraded condition (Figures 1-4).

**Soil/Landform Type:**

The application area is mapped as land subsystem 'Yanmah Subsystem (Manjimup) (254MpYn)', described Shallow (5-20 metres) minor valleys, usually U-shaped with gentle sideslopes (3-10 per cent) and broad swampy floors. Soils are loamy gravels, sandy gravels and deep sands with non-saline wet soils on the valley floors (Schoknecht, 2004).

**Comments:**

The local area considered in the assessment of this application is defined as a 10 kilometre radius around the perimeter of the application area. The local area is comprised of a mixture of agricultural land and conservation reserves. Rivers and creek systems within the agricultural land in the local area are typically dammed with a substantial portion of riparian vegetation removed.

**Photographs and map of application area**



**Figure 1: Typical vegetation in the central portion of the application area (source: applicant)**



**Figure 2: Typical vegetation in the central portion of the application area (source: applicant)**



**Figure 3: Typical vegetation in the northern portion of the application area (source: applicant)**



**Figure 4: Typical vegetation in the western portion of the application area (source: applicant)**





Figure 5: Application area (cross-hatched blue)

### 3. Assessment of application against clearing principles

According to available databases, two rare flora species and nine priority flora species have been recorded within the local area. Based on the habitat preferences of these species, and the mapped soil and vegetation types and condition of the vegetation within application area, two rare flora species and one priority species could potentially occur within the application area. These species are outlined below:

- Rare Flora Species 1 (Threatened) is known from 37 recorded populations from Nannup to Albany, from Sandy loam; winter-wet flats, margins of lakes, creeklines, and granite outcrops (FloraBase website). The nearest record of this species is approximately 5.84 kilometres from the application area.
- Rare Flora Species 2 (Threatened) is known from 52 recorded populations from Wheatley to Mt Barker, from sand, clayey loam, laterite; margins of winter-wet flats, swamps, and freshwater lakes (FloraBase website). The nearest record of this species is approximately 7.05 kilometres from the application area.
- *Caladenia erythrochila* (Priority 2) is known from two recorded populations from Manjimup to Frankland, from grey sand over laterite, and well-drained lateritic soils under scattered jarrah (FloraBase website). The nearest record of this species is approximately 7.06 kilometres from the application area.

Noting the distance to the above records, the highly disturbed understorey of the wet area, and the specific habitat preferences of these species for inundated flats, swamps and lakes over channels and lateritic soils which do not occur within the application area, it is unlikely that the above species would occur within the application area. Noting this, the proposed clearing is not likely to impact on the conservation status of the priority flora species, and the application area is unlikely to include, or be necessary for the continued existence of, rare flora.

Noting the extent of the proposed clearing, and the extent of remnant vegetation in the vicinity of the application area (as indicated in Figure 5), which is expected to be of similar type and in similar condition or better than that present within the application area, the application area is not likely to comprise a high level of biological diversity in a local context.

According to available databases, 10 threatened fauna species, seven priority fauna species, three fauna species protected under international agreement and two specially protected fauna species have been recorded within the local area (DBCA, 2007-). Noting the habitat requirements of these species, and the type and condition of the vegetation within the application area, the application area may comprise suitable habitat for Carnaby's cockatoo (*Calyptorhynchus latirostris*, threatened), forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*, threatened), Baudin's Cockatoo (*Calyptorhynchus baudinii*, threatened), western ringtail possum (*Pseudocheirus occidentalis*, threatened), common sandpiper (*Actitis hypoleucos*, international agreement), cattle egret (*Ardea ibis*, international agreement), great egret (*Ardea modesta*, international agreement), Muir's corella (*Cacatua pastinator* subsp. *pastinator*, specially protected), peregrine falcon (*Falco peregrinus* subsp. *macropus*, specially protected), and masked owl (*Tyto novaehollandiae* subsp. *novaehollandiae*, Priority 3). However noting the extent of the proposed clearing and the condition of the vegetation within the application area, and the presence of other remnants of native vegetation in the local area which are likely to be in similar or better condition than the application area, the application area is unlikely to comprise significant habitat for indigenous fauna, including species of conservation significance.

According to available databases, no threatened or priority ecological communities have been recorded within the local area. The nearest ecological community of conservation significance is more than 60 kilometres from the application area. Noting that the mapped vegetation type within the application area is widespread within the local area, the application area is not likely to comprise, or be necessary for the maintenance of, a threatened or priority ecological community.

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 Jarrah Forest Interim Biogeographic Regionalisation of Australia bioregion retains approximately 53.41 per cent of its pre-European extent of native vegetation (Government of Western Australia, 2018a). The mapped Matiske vegetation complex retains approximately 82.02 per cent (19,269.99 hectares) of its pre-European extent (Government of Western Australia, 2018b). Noting that the application area represents approximately 0.0025 per cent of the current extent of the mapped Matiske vegetation complex, and the extent of vegetation cover in the vicinity of the application area, the application area is unlikely to be significant as a remnant of native vegetation in an area that has been extensively cleared.

Part of the application area is mapped within a (dammed) watercourse. The proposed clearing includes native vegetation growing in association with this watercourse and is therefore at variance to Principle (f). Given the small scale of the clearing, the impact is not likely to be significant. Noting the water erosion risk (10-30 per cent of map unit has a high to extreme water erosion risk) mapped within the application area, the proposed clearing may result in soil erosion which has the potential to cause sedimentation and turbidity of surface water. Noting the extent of the proposed clearing, and the presence of the dam, any soil erosion or impact to the surface water quality as a result of the proposed clearing is expected to be short-term, not significantly infiltrate downstream, and not appreciable. The Commissioner of Soil and Land Conservation advised that the risk of land degradation is generally low (DPIRD, 2018).

The application area is located in the Donnelly River Water Reserve, a Public Drinking Water Source Area (not assigned), and the Donnelly River System Surface Water Area, gazetted under the *Rights in Water and Irrigation Act 1914* (RiWI Act). Noting the extent of the proposed clearing, and the moderate salinity risk for the application area, the proposed clearing is unlikely to appreciably impact on water resource values.

According to available databases, the nearest conservation area is North Donnelly State Forest, which is approximately 996 metres from the application area. Cleared land and remnant vegetation on adjacent properties separates the application area from this nature reserve. Noting this, the proposed clearing is unlikely to impact on the environmental values of nearby conservation areas.

Noting the extent of the proposed clearing, and the mapped soil type within the application area, the proposed clearing is not likely to cause appreciable land degradation, or cause long-term deterioration to the quality of surface or underground water, or cause or exacerbate the incidence or intensity of flooding.

The assessment has found that the proposed clearing is at variance to clearing principle (f), may be at variance to clearing principles (g) and (i), and is not likely to at variance to the remaining clearing principles.

#### **Planning instruments and other relevant matters**

Shire of Manjimup advises that it has no objection to the proposed clearing and that there are no planning or other matters which would affect the proposed clearing for the purpose of establishing an avocado orchard (Shire of Manjimup, 2018). It is understood that Shire planning approval is not required for the amended clearing purposes of dam construction, access roads, fences, timber harvesting, and livestock agriculture.

The CSLC noted that the applicant has indicated an intention to construct a dam within the application area, and advised that the area applied to clear has a moderate to high capability for the proposed land-use (DPIRD, 2018).

Lot 811 is located within the proclaimed Donnelly River and Tributaries Surface Water Area, Manjimup Brook/Yanmah-Dixvale sub area on Yanmah Brook. The taking and use of water within this area is subject to licensing under the RiWI Act. The proposed clearing has been assessed to have a low risk to water resources within the area.

The applicant holds a current RiWI Act water licence/permit to construct a dam and take water up to 8,000 kilolitres a year. This water allocation is a 'riparian right' for domestic and stock use only, and allows for the irrigation of 0.2 hectares of garden and lawn. Irrigation for domestic purposes in excess of 0.2 hectares, or the use of this water allocation for commercial purposes (such as to irrigate an orchard where the produce is to be sold), is not permitted under this licence.

No Aboriginal sites of significance have been mapped within the application area.

The clearing permit application was advertised on DWER's website on 13 March 2018 with a 14 day submission period. No public submissions have been received in relation to this application.

#### **4. References**

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Department of Biodiversity, Conservation and Attractions (DBCA) (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed March 2018
- Department of Primary Industries and Regional Development (DPIRD) (2018). Land degradation advice provided in relation to clearing permit application CPS 7998/a, including Land Degradation Assessment Report (DWER ref. A1658452).
- Government of Western Australia. (2018a) 2017 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of December 2017. WA Department of Biodiversity, Conservation and Attractions. Available from: <https://catalogue.data.wa.gov.au/dataset/dbca-statewide-vegetation-statistics>

Government of Western Australia. (2018b) 2017 South West Vegetation Complex Statistics. Current as of October 2017. WA Department of Biodiversity, Conservation and Attractions, Perth. Available from: <https://catalogue.data.wa.gov.au/dataset/dbca>

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.

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 (2018) Direct interest advice provided in relation to clearing permit application CPS 7998/1, received 19 March 2018. Shire of Manjimup, Western Australia (DWER ref. A1636792).

#### **GIS Databases**

- CPS Areas applied to clear
- NatureMap (conservation significant fauna)
- DAFWA Subsystems V5
- Soils of WA
- Vegetation Complexes – South West Forests
- Managed Tenure
- Environmentally Sensitive Areas
- TPFL Data April 2018
- WAHerb Data April 2018
- Aboriginal Sites Register
- IBRA Vegetation WA
- WA TECPEC
- Land Degradation Hazards