



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 8111/2
File Number: DER2018/000992
Duration of Permit: 15 December 2018 to 15 December 2020

PERMIT HOLDER

Mathew John Muir
Caroline Jane Anderson

LAND ON WHICH CLEARING IS TO BE DONE

Lot 8200 on Deposited Plan 201608, Channybearup.

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 15.1 hectares of native vegetation within the areas cross hatched yellow on attached Plan 8111/2.

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. Records must be kept

The Permit Holder must maintain the following records 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
- (e) actions taken to minimise the risk of the introduction and spread of weeds and dieback in accordance with condition 2 of this Permit.

4. Reporting

The Permit Holder must provide to the CEO the records required under condition 3 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 Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

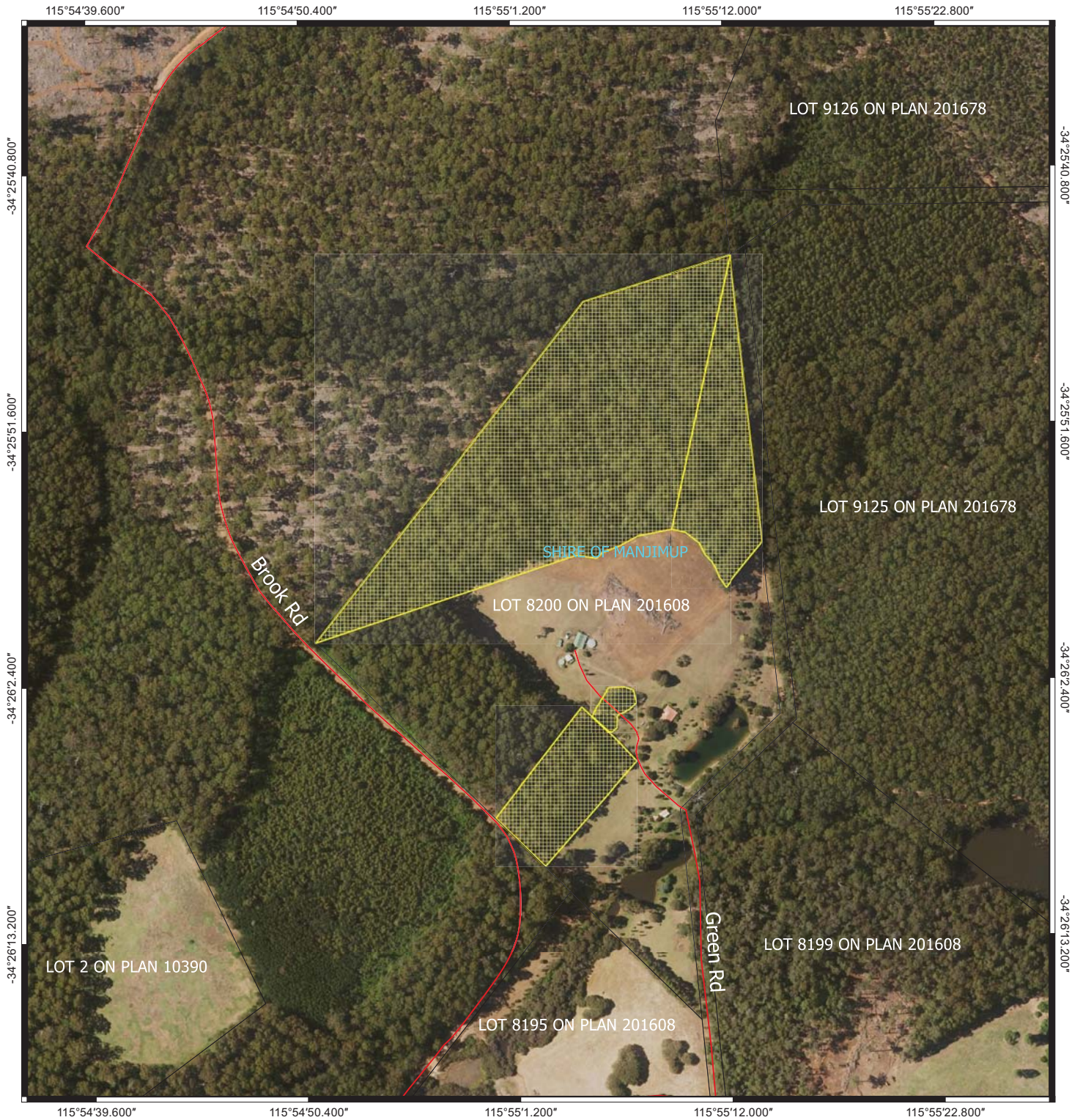


Ray Carvalho
MANAGER
NATIVE VEGETATION REGULATION

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

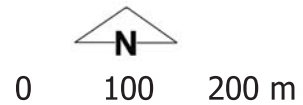
1 July 2019

Plan 8111/2



Legend

-  CPS areas approved to clear
-  Local Government Authorities
-  Cadastre
-  Roads
- Image



MGA 94
Geocentric Datum of Australia 1994

Digitally signed
by Ray Carvalho
Date:
2019.07.01



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



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WESTERN AUSTRALIA
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Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8111/2
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Mr Mathew John Muir
Application received date: 1 February 2019

1.3. Property details

Property: LOT 8200 ON PLAN 201608, CHANNYBEARUP
Local Government Authority: MANJIMUP, SHIRE OF
Localities: CHANNYBEARUP

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
15.1		Mechanical Removal	Grazing & pasture

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 1 July 2019
Reasons for Decision: This amendment has been made to increase the extent of clearing by 2.56 hectares, from 12.54 hectares to 15.1 hectares of native vegetation, to provide a greater area to be used for agriculture and horticulture.

The application to amend the clearing permit was received on 1 February 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 may be at variance to principle (h) and is not likely to be at variance to any of the remaining clearing principles.

Through assessment it has been determined that the proposed clearing may impact on the environmental values of Donnelly State Forest through the potential introduction and spread of weeds and dieback. Weed and dieback management measures will assist in minimising impacts to Donnelly State Forest.

In granting a clearing permit subject to conditions, the Delegated Officer determined that the proposed clearing is not likely to have any unacceptable impacts to the environment.

2. Site Information

Clearing Description

The application to amend is for the proposed clearing of 15.1 hectares of native vegetation within Lot 8200 on Plan 201608, Channybearup, for the purpose of establishing an avocado orchard and livestock agriculture. This amendment has been made to increase the extent of clearing by 2.56 hectares, from 12.54 hectares to 15.1 hectares of native vegetation for the purpose of providing a greater area to be used for the above purposes.

The applicant has advised that the additional area proposed for clearing will not be cleared completely, with some larger trees proposed for retention.

Vegetation Description

The application area occurs within the Warren region of the Interim Biogeographic Regionalisation for Australia (IBRA), and is mapped as the following Matisse vegetation complexes:

- Crowea CRb (comprising approximately 10 per cent of the application area): described as tall open forest of *Corymbia calophylla* (Marri)-*Eucalyptus diversicolor* (Karri) on upper slopes with *Allocasuarina decussate* (Karri She-oak)-*Banksia grandis* (Bull Banksia) on upper slopes in hyperhumid and perhumid zones;
- Pemberton PM1 (comprising approximately 14 per cent of the application area): described as tall open forest of *Eucalyptus diversicolor* (Karri) with mixtures of *Corymbia calophylla* (Marri) on valley slopes and low forest of *Taxandria juniperina*-*Banksia seminuda* (River Banksia)-*Callistachys lanceolata* (Wonnich) on valley floors in the perhumid zone; and
- Crowea CRd (comprising approximately 76 per cent of the application area): described as open forest to tall open forest of *Eucalyptus marginata* subsp. *marginata* (Jarrah)-*Corymbia calophylla* (Marri) on uplands in hyperhumid and perhumid zones (Matisse and Havel, 1998).

A site inspection of the application area was conducted by the Department of Water and Environmental Regulation (DWER) on 13 July 2018.

The site inspection identified that vegetation within the application area comprises a mixture of *Eucalyptus marginata* (Jarrah) and *Corymbia calophylla* (Marri) forest and *Eucalyptus diversicolor* (Karri) forest over open native heath, with Jarrah forest over open heath being the dominant vegetation type (DWER, 2018). A range of understorey species were identified, the most prevalent species including; *Xanthorrhoea* sp., *Macrozamia reidleyi*, *Hibbertia* sp. (including *Hibbertia acerosa*), *Acacia* sp., *Tetraria* sp., *Grevillea trifida* and *Hakea lissocarpa*; *Banksia dallenneyi*, *Trichocline spathulata* and *Bossiaea ornata* were also observed (DWER, 2018).

Vegetation Condition

DWER's site inspection determined that the vegetation under application is in the following condition:

- Very Good: vegetation structure altered; obvious signs of disturbance (Keighery, 1994).
To
- Good: vegetation structure significantly altered by very obvious signs of multiple disturbance; retains basic structure or ability to regenerate (Keighery 1994).

Soil type

The application area is mapped as the following land subsystems (DPIRD, 2019):

- Crowea (Pimelia) brown duplex phase (254PvcRb), which covers approximately 11 per cent of the application area, and is described as brown gravelly duplex soils and red earths;
- Crowea (Pimelia) sandy duplex phase (254PvCRd), which is mapped across approximately 67 per cent of the application area, and is described as sandy yellow duplex soils; and
- Pemberton Subsystem (Pimelaia) (254PvPM), which is mapped across approximately 20 percent of the application area, and is described as flat to gently sloping floors with few channels, smooth slopes, and red or yellow gradational soils, not calcareous with some red duplex soils.

A Land Degradation Assessment Report undertaken by the Department of Primary Industries and Regional Development (DPIRD) described the soil and landscape type as a mixture of grey sandy and gravelly soils, with areas of granite outcropping conglomerate. The application area is considered to occupy a mid to upper slope position in the landscape, with the highest portion of the site within the centre portion of the application area (DPIRD, 2018).

Comments

The local area referred to throughout this report is considered to be a 10 kilometre radius measured from the perimeter of the application area.

3. Assessment of application against clearing principles

The Department of Biodiversity, Conservation and Attractions (DBCA) (2019) provided advice on the application and advised that, given the nature of the vegetation within the application area, a fauna survey targeted at Western Ringtail Possum (WRP) should be conducted prior to a decision being made on the clearing permit application. As a result of this advice, the applicant commissioned a one day and one night survey of the application area in June 2019, targeted at WRP habitat use (dreys, scats and individuals) (Harewood, 2019). The fauna survey did not identify any evidence of WRP utilising the application area (Harewood, 2019). The fauna survey suggested that the habitat present within the application area is of marginal quality to WRP given the discontinuous nature of the midstorey canopy cover, limited daytime refuge resources and paucity of documented foraging species (e.g. *Agonis flexuosa*). Based on this information, the fauna survey concluded that it is unlikely that WRP utilise the application area (Harewood, 2019). Noting the above, the proposed clearing is not likely to impact on significant WRP habitat.

DPIRD's land degradation report advised that the clearing of an additional 2.56 hectares would not increase the risk of land degradation (DPIRD, 2019).

With the exception of the above, a review of current environmental information reveals no new additional information. Therefore the assessment against the clearing principles has not changed and can be found in Clearing Permit Decision Report CPS 8111/1.

Given the above, and in line with Decision Report CPS 8111/1, the proposed clearing may be at variance to principle (h) based on the potential introduction and spread of weeds and dieback into Donnelly State Forest as a result of clearing. Weed and dieback management measures will assist in minimising impacts to Donnelly State Forest. The proposed clearing is not likely to be at variance to the remaining clearing principles.

Planning instruments and other relevant matters.

The application to amend was advertised on the DWER website on 18 March 2019 with a 21 day submission period. No public submissions have been received in relation to this application.

The Shire of Manjimup advised that it has no objection to the proposed clearing and that there are no planning or other matters that apply in this instance. The Shire of Manjimup further advised that the land is zoned as 'Priority Agriculture' in Local Planning Scheme No.4, and that planning approval for the proposed clearing is not required (Shire of Manjimup, 2019).

The application area falls within a proclaimed Surface Water Area (Donnelly River System) under the *Rights in Water and Irrigation Act 1914*. Any taking or diversion of water in this proclaimed area is subject to licensing. The applicant holds a current water licence (SWL200761) which expires on 14 January 2028.

In regards to minor waterways located in the vicinity of the application area, in order to mitigate the orchard risks DWER (2019) recommends the following best management practices where practical/appropriate, consistent with the '*Water Quality Protection Note 34 – Orchards Near Sensitive Water Resources*':

- Having drainage channels properly located and designed to minimise erosion and nutrient transport.
- Establishing perennial grasses between planted rows to control erosion and attenuate nutrients
- The use of fertilisers, pesticides and fertilizers follow best management practices such as applications during the dry period of the year in accordance with the manufactures instructions; 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
- Adequate separation buffers should be maintained between orchards and waterways to minimise the risk of degradation of water resource quality.

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

4. References

- Department of Biodiversity, Conservation and Attractions (DBCA). (2019). Regional advice in relation to clearing permit application CPS 8111/2. DWER Ref: A1782135.
- Department of Primary Industries and Regional Development (DPIRD) (2019). Land degradation advice provided in relation to clearing permit application CPS 8111/2, including Land Degradation Assessment Report (DWER Ref. A1777298).
- Department of Water and Environmental Regulation (DWER). (2018). Site inspection report for clearing permit application CPS 8111/1. (DWER Ref: A1777877).
- Department of Water and Environmental Regulation (DWER). (2019). Water quality advice from South West Region regarding Clearing Permit Application CPS 8111/2. (DWER Ref: A1767854).
- Harewood, G. (2019). Western Ringtail Possum Survey of Proposed Clearing Areas. A fauna survey in relation to CPS 8111/2 commissioned by applicant. DWER Ref: A1797239.
- Shire of Manjimup (2019) Direct interest advice provided in relation to clearing permit application CPS 8111/2, received 29 March 2019. Shire of Manjimup, Western Australia (DWER ref. A1777081).

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 March 2019
- WAHerb Data March 2019
- Aboriginal Sites Register
- IBRA Vegetation WA
- WA TECPEC
- Land Degradation Hazards