



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 8688/1

File Number: DWERVT3426

Duration of Permit: From 12 January 2020 to 12 January 2022

PERMIT HOLDER

Mr Brendan Hulcup and Mrs Kerry Anne Hulcup

LAND ON WHICH CLEARING IS TO BE DONE

Lot 3992 on Plan 134590, Quinninup

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.5 hectares within the area cross-hatched yellow on attached Plan 8688/1.

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 known *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. 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.

4. Water erosion management

This Permit does not authorise the Permit Holder to clear native vegetation between 1 May and 30 September.

5. Staged clearing

The Permit Holder shall not clear native vegetation unless development for which the clearing is authorised is enacted within three months of the clearing being undertaken.

6. 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
- (e) actions taken to minimise the risk of the introduction and spread of *dieback* and *weeds* in accordance with condition 2 of this Permit.

7. Reporting

The Permit Holder must provide to the *CEO* the records required under condition 6 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.

Ryan Mincham

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Ryan Mincham
MANAGER
NATIVE VEGETATION REGULATION

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


13 December 2019

Plan 8688/1




Legend

CPS layers

 CPS areas approved to clear

base layers

 Land TenureLGATE - 226
Local Government Authorities

Image



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Ryan Mincham
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Officer delegated under section 20 of the
Environmental Protection Act 1986





Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8688/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Ms Kerry Anne Hulcup and Mr Brendan Hulcup
Application received date: 2 October 2019

1.3. Property details

Property: Lot 3922 on Plan 134590
Local Government Authority: Shire of Manjimup
Localities: Quinninup

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.5		Mechanical Removal	Dam Construction

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 13 December 2019

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 principle (f), may be at variance to principle (g) and (i) and is not likely to be at variance with the remaining principles.

The application area occurs within a watercourse, however, given the end land use is dam construction there is no means in which to minimise this impact. Given the vegetation condition is completely degraded, the impact to native riparian vegetation within the application area is not considered significant. There is a risk of water erosion which may impact surface water quality.

Given the above, the Delegated Officer decided to grant a clearing permit subject to conditions to minimise the risk of land degradation and impacts to surface water quality

2. Site Information

Clearing Description The application is to clear 0.5 hectares of native vegetation within Lot 3922 on Plan 134590, Quinninup for the purposes of the construction of a dam (Figure 1).

Vegetation Description Two vegetation complexes have been mapped within the application area:

- Lefroy, LF - Tall open forest of *Eucalyptus diversicolor-Corymbia calophylla* on slopes and low woodland of *Agonis juniperina-Callistachys lanceolata* on lower slopes in hyperhumid and perhumid zones.
- 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 (Shepherd *et al.*, 2001).

Vegetation Condition Based on photographs provided by the applicant, the vegetation is in a completely degraded condition (Keighery, 1994) – see Figure 2.

Soil type There are two soil types mapped within the application area (DPIRD, 2019):

- 254DwPM - Pemberton Subsystem (Dwalganup) - 20 to 40 m deep. Flat to gently sloping floors. Few channels. 3 to 10 deg. Smooth slopes. Red or yellow gradational soils, not calcareous with some red duplex soils ((Schoknecht *et al.* 2001);
- 254DwLF - Lefroy Subsystem (Dwalganup) - Valleys 40 to 60 m deep. Slopes smooth, 10 to 20 deg. Narrow terrace. Red gradational soils, not calcareous with some red and brown duplex profiles (Schoknecht *et al.* 2001).

Approximately 60% of the area is classified as the Pemberton Subsystem.

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.



Figure 1: Application area



Figure 2: Photographs of application area

3. Minimisation and mitigation measures

The applicant has advised that there are no alternative areas to place the dam.

4. Assessment of application against clearing principles

According to available databases, four conservation significant flora and one conservation significant lichen have been recorded in the local area. One species, *Caladenia winfieldii*, occurs on the same soil type as the application area, and two occur in the same soil system (*Cardamine paucijuga* and *Tetradthea exasperata*). *Cardamine paucijuga* prefers winter wet depressions and black peaty soils inconsistent with the soil conditions within the application area; and *Tetradthea exasperata* has been recorded in degraded landscapes previously, however the application area appears to contain no native understorey. Based on the completely degraded vegetation condition (Keighery, 1994), small size of the application area and presence of significant areas of DBCA managed land in the local area, the proposed clearing is not likely to comprise a high level of biological diversity.

Two flora species listed as Threatened under the *Biodiversity Conservation Act 2016* (WA) have been previously recorded in local area. Of these two species, the application area has suitable landscape position and soil type to provide habitat for one of these species, *Caladenia winfieldii* (Majestic Spider Orchid) (DEC, 2009). However, based on the completely degraded vegetation condition (Keighery, 1994), the application area is not likely to be suitable habitat for *C. winfieldii*, and therefore is not likely to include, or be necessary for the continued existence of Threatened Flora.

A total of 15 conservation significant fauna species have been recorded in the local area. Of these, the application area may provide suitable habitat for two species, namely Baudin's cockatoo (*Calyptorhynchus baudinii*) and forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*). The application area is too small and degraded to be considered critical habitat for either Chuditch (*Dasyurus geoffroyi*) or western ring-tail possum (*Pseudocheirus occidentalis*), which have been recorded in the local area (DEC, 2012; DPAW, 2017). Flora species in the application area consist predominantly of *Agonis flexuosa* (peppermint), with some *Eucalyptus rudis* (flooded gum), immature *Eucalyptus diversicolor* (karri) and several weedy blackwood (*Acacia melanoxylon*) over a weedy understorey (Figure 2). Based on the large proportion of remnant vegetation in the local area, the small application area and the completely degraded vegetation condition (Keighery, 1994), the proposed clearing is not likely to be significant habitat for fauna indigenous to Western Australia.

The application area may provide some linkage between the Dordanup National Park (south-east) and Warren State Forest/Tone State Forest (north), however a more vegetated linkage of these two areas is through riparian vegetation along Quinninup Brook (Figure 3). The application area is located 420 metres from the nearest mapped roadside conservation area, 3.1 kilometres from the closest mapped Southwest Ecological Linkage and 17.1 kilometres west of the South Coast Macro Corridor. Based on aerial imagery of the application area and surrounds, the clearing of this area is not likely to prevent the movement of fauna through the local area. Based on this information, the proposed clearing of the application area is not likely to significantly restrict the movement of fauna species through the landscape.



Figure 3: ecological linkage of local reserves

No Threatened Ecological Communities (TEC's) were recorded within the local area, with the closest state listed TEC being more than 62 kilometres from the application area. The proposed clearing of the application area is not likely to comprise part of, or is necessary for the maintenance of a TEC.

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30% of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001). The Warren region currently has approximately 80% of the pre-european extent remaining, with the Pemberton PM1 complex having approximately 65% of it's vegetation remaining and Lefroy LF vegetation complex having approximately 82%. Within the local area, approximately 83% of the area that was vegetated pre-1750 remains, with the Department of Biodiversity, Conservation and Attractions (DBCA) managing 79%. Based on the high level of vegetation cover in the local area and the small size of application area, the proposed clearing is not considered to be significant as a remnant of native vegetation in an area that has been extensively cleared.

The application area is located within Warren catchment. No wetlands are recorded in the local area. Carters Brook, a non-perennial, minor river passes through the application area, which flows into Quinninup Brook 120 metres downstream. There are several other dams upstream, including a large (4.7 ha at time of aerial imagery) unnamed lake 680 metres upstream. This application is at variance with Principle (f) – native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

There is a low risk of salinity, flooding and waterlogging within the application area. There is a high susceptibility for sub-surface acidification of soils (>70%) and a moderate risk of phosphorus export within the application area, however, based on the small size of the application area, the clearing of native vegetation is not likely to have a significant impact on these factors. There is a moderate risk of wind erosion and water erosion and measures will need to be implemented to ensure the design of the dam does not increase the risk of wind and water erosion that may cause land degradation and impact native vegetation downstream. The clearing of vegetation and subsequent dam construction should occur when there is a low likelihood of high rainfall events to minimise water erosion.

The closest conservation area to the application area is located 430 metres south-east, that being Dordanup National Park. Other DBCA land in the local area includes Sir James Mitchell National Park, Warren State Forest and Tone State Forest. Based on the distance from the adjacent conservation areas and the size of the application area, the proposed clearing is not likely to have an impact on the environmental values of any adjacent or nearby conservation area.

Based on the size of the application area, landscape position and low groundwater salinity levels (500 – 1000 mg/L), the proposed clearing is not likely to deteriorate the quality of surface or groundwater, and is not likely to cause, or exacerbate, the incidence or intensity of flooding.

Planning instruments and other relevant matters.

The applicant has applied for a water licence (080612, 087707) and a bed and banks permit (029684). Advice from DWER indicates that these licences are likely to be granted (DWER, 2019).

No Aboriginal sites of significance have been mapped within the application area, with the closest registered site over 350 metres from the application area.

The construction of a dam may impact the hydrology of the local area, with the mud minnow (*Galaxiella munda*), a vulnerable fish species recorded in the local water systems.

The clearing permit application was advertised on the DWER website on 12 November 2019 with a 14 day submission period. No public submissions were received.

The Shire of Manjimup was notified of the clearing application and invited to submit comments. A letter from the Shire of Manjimup was received on 21 November 2019, stating it has no objections to the proposal and that no approvals from the Shire are required for this construction to commence (Shire of Manjimup, 2019).

5. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Department of Environment and Conservation (DEC) (2009) Majestic Spider Orchid (*Caladenia winfieldii*) Recovery Plan. Commonwealth Department of the Environment, Water, Heritage and the Arts, Canberra.
- Department of Environment and Conservation (DEC) (2012) Chuditch (*Dasyurus geoffroyi*) Recovery Plan. Wildlife Management Program No. 54. Department of Environment and Conservation, Perth, Western Australia.
- Department of Parks and Wildlife (DPaW) (2017) Western Ringtail Possum (*Pseudocheirus occidentalis*) Recovery Plan. Department of Parks and Wildlife, Government of Western Australia.
- Department of Primary Industries and Regional Development (DPIRD) (2019) NRInfo Digital Mapping. Accessed at <https://maps.agric.wa.gov.au/nrm-info/> Accessed November 2019. Department of Primary Industries and Regional Development. Government of Western Australia.
- Department of Water and Environmental Regulation (DWER) (Regulatory Services – Water) (2019). Regional *Rights in Water and Irrigation Act 1914* advice. Pers. comm. 29/11/2019.
- Government of Western Australia (2018) 2017 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of December 2017. WA Department of Biodiversity, Conservation and Attractions. <https://catalogue.data.wa.gov.au/dataset/dbca-statewide-vegetation-statistics>
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western 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.
- 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 (2019) Supporting Information for clearing permit application CPS 8688/1. Shire of Manjimup. Received by DWER on 21 November 2019 (DWER Ref: A1843820).

GIS Databases:

- Aboriginal Sites of Significance
- DAFWA Heritage
- DBCA Estate
- DEC Covenant
- Groundwater salinity
- Hydrography, linear
- National Trust WA Covenant
- Remnant vegetation
- SAC bio datasets (accessed November 2019)
- Soils, Statewide
- Topographic contours
- Wetlands