



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 8750/1  
File Number: DWERVT4985  
Duration of Permit: From 10 April 2020 to 10 April 2025

### PERMIT HOLDER

Mr Michael Mogridge  
Mrs Tracey Lee Mogridge

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 1629 on Deposited Plan 201647, Forest Grove

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.2 hectares of native vegetation within the area cross-hatched yellow on attached Plan 8750/1.

### 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. 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.

## 5. Reporting

The Permit Holder must provide to the *CEO* the records required under condition 4 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.

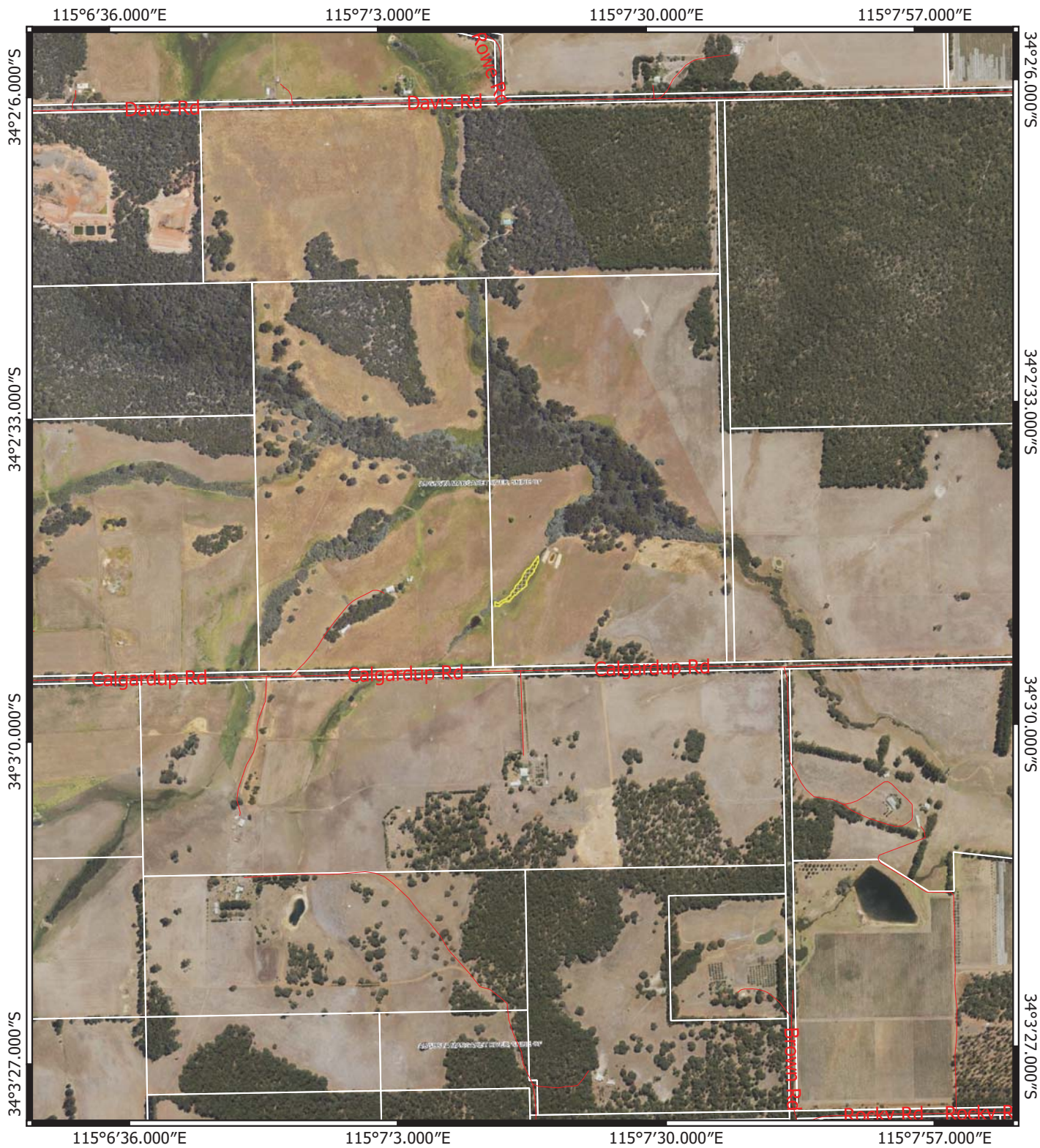


Samara Rogers  
MANAGER  
NATIVE VEGETATION REGULATION





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

16 March 2020

# Plan 8750/1



## Legend

-  CPS areas approved to clear
-  Cadastre - LGATE 218
-  Road Centrelines
-  Local Government Authority (LGA) Boundaries (LGATE-233)

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Officer delegated under section 20 of the  
Environmental Protection Act 1986



GOVERNMENT OF  
WESTERN AUSTRALIA



## 1. Application details

### 1.1. Permit application details

Permit application No.: 8750/1  
Permit type: Area Permit

### 1.2. Applicant details

Applicant's name: Michael Mogridge  
Tracey Lee Mogridge  
Application received date: 9 December 2019

### 1.3. Property details

Property: Lot 1629 on Plan 201647, Forest Grove  
Local Government Authority: Shire of Augusta Margaret River  
Localities: Forest Grove

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.2		Mechanical	Dam construction

### 1.5. Decision on application

Decision on Permit Application: Granted  
Decision Date: 16 March 2020

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*. It has been concluded that the proposed clearing is at variance with principle (f) and is not likely to be at variance with the remaining clearing principles.

Through assessment it was identified that the vegetation within the application area is associated with a watercourse and is therefore at variance to principle (f). The proposed clearing of 0.2 hectares is not likely to have a significant impact on the watercourse.

Through the assessment, it was determined that the proposed clearing may increase the risk of weeds and dieback spreading into adjacent vegetation. A weed and dieback management condition has been placed on the clearing permit to minimise the risk of weeds and dieback spreading.

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 the environment.

## 2. Site Information

**Clearing Description:** The application is for the proposed clearing of 0.2 hectares of native vegetation within Lot 1629 on Deposited Plan 201647, Forest Grove, for the purpose of dam construction.

**Vegetation Description** The vegetation within the application area is mapped within the Wilyabrup (Ww1) South West vegetation complex, described as tall open forest of *Eucalyptus diversicolor-Agonis flexuosa-Callistachys lanceolata* with some *Corymbia calophylla* on flats and valleys in the hyperhumid zone (Mattiske and Havel, 1998).

Photographs supplied by the applicant indicate the vegetation within the application area consists of small, poor-quality *Agonis flexuosa* (peppermint) with a sparse understorey of riparian shrubs over sedges (Mogridge, 2019). The application area appears to have been subject to significant weed invasion, with native understorey vegetation absent in much of the area (Mogridge, 2019).

**Vegetation Condition** The condition of the vegetation within the application area is in Degraded (Keighery, 1994) condition, defined as basic vegetation structure severely impacted by disturbance, scope for regeneration but not to a state approaching good condition without intensive management.

Vegetation condition was based on a review of available aerial imagery and photographs supplied by the applicant (Mogridge, 2019).

**Soil Type**

The soil type within the application area is mapped as the Wilyabrup narrow valley floor Phase (216WVWLv), described as narrow V-shaped drainage depressions (DPIRD, 2017).

**Local Area**

The local area referred to in the assessment of this application is defined as a 10 kilometre (km) radius measured from the perimeter of the application area.

**Comments**

The applicant has advised that the application area is adjacent to a retained section of native vegetation, which has been fenced to exclude cattle and reduce disturbance (Mogridge, 2019).

The applicant has advised that the fenced area above will be increased to encompass an additional area of native vegetation, as well as a previously cleared area that will be revegetated with native species (Mogridge, 2019).

The applicant has also advised that large peppermint trees adjacent to the application area will be retained (Mogridge, 2019).



Figure 1. Application area (outlined in blue).

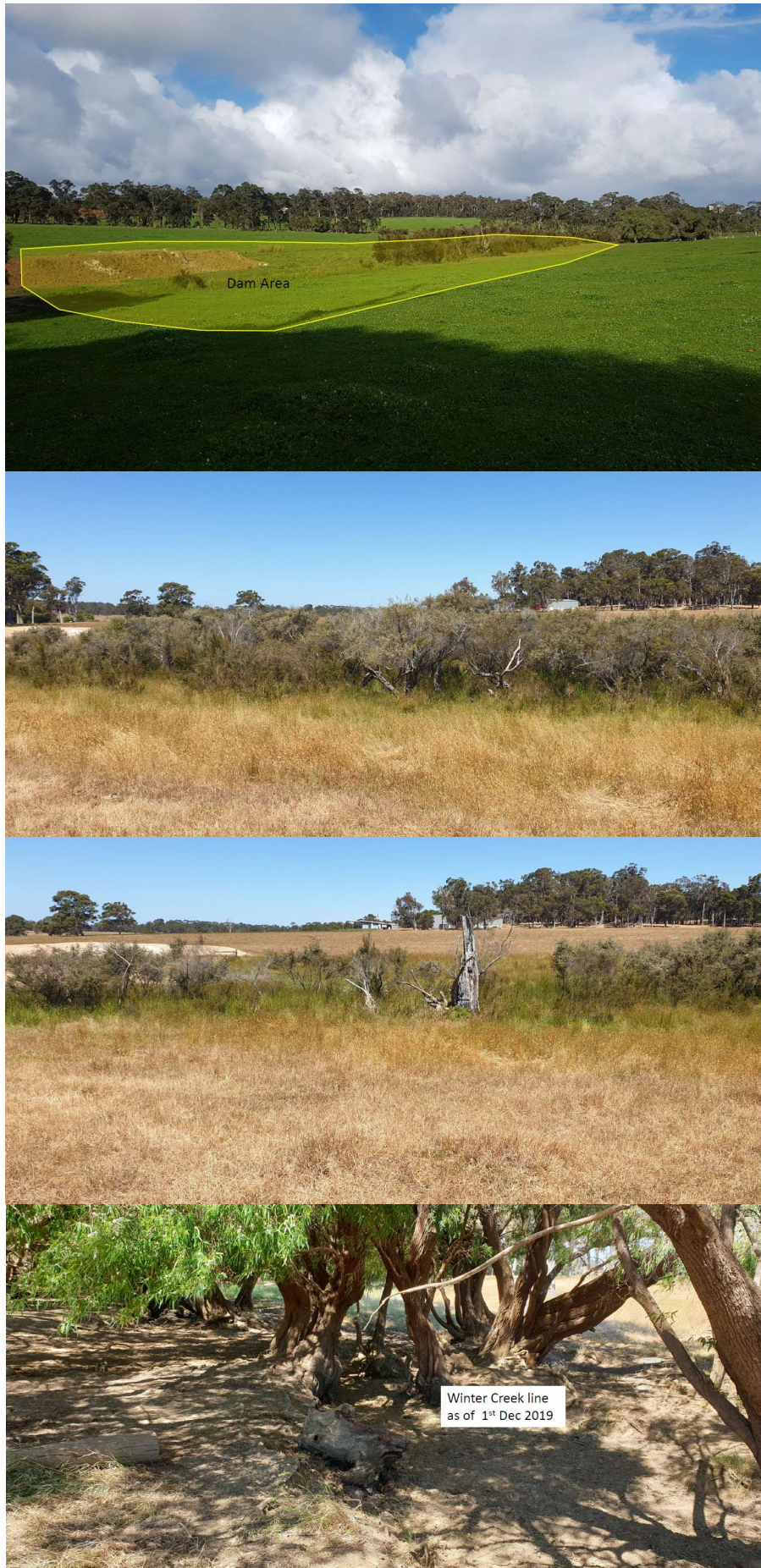


Figure 2. Photographs of the application area provided by the applicant (Mogridge, 2020).  
CPS 8750/1, 16 March 2020

### 3. Assessment of application against clearing principles and planning instruments and other matters

#### Summary

A review of available databases identified that the application area may provide suitable habitat for four threatened fauna species and two priority flora species. However, given the Degraded (Keighery, 1994) condition of the vegetation within the application area, high degree of disturbance due to weed invasion and stock access, and situation along an extensively cleared, non-perennial tributary of the Chapman Brook (DBCA, 2020), the application area is not considered likely to provide significant habitat for the above species or comprise a high level of floristic or fauna diversity. The application area is not consistent with or mapped within any threatened or priority ecological communities (TECs and PECs, respectively), directly adjacent to any areas of conservation value, or within a mapped ecological linkage. The application area is adjacent to mapped South West Ecological Linkages, however the vegetation within the application area is relatively isolated from surrounding vegetation and is situated within an area of abundant remnant vegetation and corridors for migration, therefore it is not likely to be significant as an ecological linkage within the local area. Given the above, the application area is not considered likely to comprise a high level of biodiversity and the clearing of vegetation within the application area is not likely to impact on the environmental values of nearby conservation area.

#### Assessment

A total of 27 threatened or priority fauna species have been recorded within the local area, including 15 threatened fauna and three priority fauna (DBCA, 2007-). None of these records occur within the application area. Based on the existing records, habitat preferences and habitat requirements of the above species, the application area may potentially contain suitable habitat for four threatened fauna species; *Galaxiella munda* (western mud minnow), *Geocrinia alba* (white-bellied frog), *Pseudocheirus occidentalis* (western ringtail possum), and *Westralunio carteri* (Carter's freshwater mussel). Given the application area is situated on an extensively cleared, non-perennial tributary of the Chapman Brook (DBCA, 2020), and is significantly upstream from known records, the application area is not likely to provide significant habitat for threatened aquatic species, including the western mud minnow and Carter's freshwater mussel.

The western ringtail possum is an arboreal foliovore, associated with long unburnt mature remnant peppermint woodlands along the Swan Coastal Plain management zone from Mandurah to Augusta (DPAW, 2017). These woodlands are usually characterised by high canopy cover and connectivity, often growing near swamps and watercourses that offer more fertile conditions (DPAW, 2017). Although the application area consists primarily of peppermint trees in riparian vegetation which may provide suitable foraging habitat for western ringtail possums, the trees are of low-quality, are stunted in growth and do not provide continuous canopy linking the area to larger, more suitable habitat in the local area. Noting this, and that larger remnants of more suitable habitat are abundant within the local area, the application area is not likely to provide significant habitat for the western ringtail possum.

The white-bellied frog inhabits swampy flows along drainage depressions and breeds at sites associated with sandy soils, dense overstorey vegetation and a dense ground cover of rhizomatous vegetation (DPAW, 2015). Given the application area consists of riparian vegetation within a drainage line in sandy clay soils, the application area may potentially contain suitable habitat for the white-bellied frog. Advice received from the Department of Biodiversity Conservation and Attractions (DBCA) identified that, while white-bellied frog populations are known to occur in other tributaries of the Chapman Brook, the species is rarely observed in the upstream waters of Chapman Brook and the closest known occurrence is over 6 kilometres downstream of the application area (DBCA, 2020). Further, DBCA advised that given its Degraded (Keighery, 1994) condition, vegetation within the application area is unlikely to be capable of supporting white-bellied frog populations (DBCA, 2020). Noting the extent of the proposed clearing and that the identified tributary has been subject to significant disturbance along its length, it was also advised that the eventual land use of the application area would be unlikely to have any downstream impacts on white-bellied frog populations (DBCA, 2020). Given the above, the proposed clearing is not likely to impact significant habitat for the white-bellied frog.

A review of available databases determined that 20 threatened or priority flora have been recorded within the local area, comprising four Priority 1 (P1) flora species, one Priority 2 (P2) flora species, eight Priority 3 (P3) flora species, and two threatened flora species (Western Australian Herbarium, 1998-). No occurrences of the above species have been recorded within the application area or adjacent vegetation. From available databases, an assessment of the habitat requirements of these species indicated that the vegetation associations and soil type present in the application area may provide suitable habitat for two priority flora species; *Actinotus repens* (P3) and *Juncus meianthus* (P3). However, advice received from DBCA noted that, as the application area had been subject to a high degree of degradation due to heavy weed invasion and stock access, the vegetation was unlikely to support any currently threatened flora (DBCA, 2020). Further, given the number of records of the above priority species in the local area and the distribution of these species, the proposed clearing is not likely to have an impact on the conservation status of these species should they be present.

A review of available databases determined that the nearest state-listed TEC, 'Aquatic Root Mat Community Number 3 of Caves of the Leeuwin Naturaliste Ridge', occurs approximately 8.8 km south-west of the application area. No other TECs or PECs are mapped within the local area. Given the distance and separation of the application area from the nearest TEC, the proposed clearing is not likely to have a significant impact on this community. Further, the vegetation within the application area is not reflective of communities currently considered threatened (DBCA, 2020), and is not likely to comprise the whole or part of, or be necessary for the maintenance of, a state-listed 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 per cent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001). From available databases, the local area is estimated to retain approximately 53.19 per cent of pre-European clearing extent. The application area is also mapped within the Warren IBRA Bioregion (Shepherd *et al.*, 2001) and the Wilyabrup South West vegetation complex (Mattiske and Havel, 1998), both of which retain greater than 30 per cent of pre-European clearing extent (Government of Western Australia, 2019). Noting the current vegetation extent for the Warren IBRA Bioregion, the mapped South West Vegetation Complex and the local area are all above the 30 per cent threshold, the local area is not considered to be extensively cleared. Therefore, the application area is not likely to be significant as a remnant of native vegetation in an area that has been extensively cleared.

The application area consists of riparian vegetation within a drainage line and intersects a non-perennial tributary of Chapman Brook. Therefore, the vegetation proposed to be cleared is growing in, or in association with, an environment associated with a watercourse or wetland and the proposed clearing is at variance with principle (f). As discussed above, the vegetation proposed to be cleared is in Degraded (Keighery, 1994) condition and is situated in an extensively cleared tributary of Chapman Brook (DBCA, 2020). Further, vegetation upstream of the application area is maintained and fenced, large peppermint trees adjacent to the application area along the tributary will be maintained and the fenced area is proposed to be increased and revegetated (Mogridge, 2020). Noting this and the extent of the proposed clearing, the proposed clearing is not anticipated to result in any long-term impact to the ecological values provided by the riparian vegetation communities associated with the watercourse included in the application area.

Based on mapped land degradation risk, the application area has a relatively low likelihood of land degradation resulting from water erosion, salinity, flooding and waterlogging. The application area is mapped at upwards of 50 per cent, moderate to very high risk, for wind erosion and subsurface acidification that may lead to land degradation. However, as noted above, the extent of the proposed clearing is relatively small, the vegetation within the application area is in Degraded (Keighery, 1994) condition, the application area is situated in an extensively cleared tributary of Chapman Brook (DBCA, 2020), and upstream vegetation will be retained, fenced and revegetated. Considering this, the retained vegetation would be expected to provide a buffer against wind erosion and aid in preventing subsurface acidification. As the application area has been subject to heavy weed invasion, the proposed clearing may facilitate the spread of weeds and dieback to remnant vegetation in the local area, particularly the fenced vegetation on the property and vegetation adjacent to the property. A weed and dieback condition is considered to minimise this risk. Given the above, the proposed clearing is not likely to cause appreciable land degradation or to cause, or exacerbate, the incidence or intensity of flooding.

The application area is within the Blackwood Groundwater Area and the Lower Blackwood Surface Water Area, both proclaimed under the *Rights in Water and Irrigation Act 1914* (the RIWI Act). The removal of riparian vegetation has the potential to increase sedimentation and turbidity in the watercourse within the application area, thereby possibly impacting surface water quality. However, as the application area intersects a non-perennial tributary of Chapman Brook, impact on surface water may be dependent on the presence of water at the time of the clearing. Further, the extent of the proposed clearing is small, upstream vegetation will be retained, fenced and revegetated, large peppermint trees adjacent to the application area along the tributary will be retained, and the application area is situated in an extensively cleared tributary of Chapman Brook (DBCA, 2020). Noting the above, it is not likely that the proposed clearing will cause deterioration in the quality of surface or underground water.

Given the above, the proposed clearing is at variance with principle (f) and is not likely to be at variance with the remaining clearing principles.

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

The clearing permit application was advertised on the Department of Water and Environmental Regulation's website on 10 January 2020, inviting submissions from the public within a 21 day period. No submissions were received in relation to this application.

The Shire of Augusta Margaret River (the Shire) advised that a planning application for the proposed dam and truffle farm had been received (Shire of Augusta Margaret River, 2020a). The Shire commented on the potential environmental impacts of the proposal, specifically potential impacts to fauna habitat for the western ringtail possum and white-bellied frog (Shire of Augusta Margaret River, 2020a). The Shire also proposed that assessment of the application should consider the applicant's proposition to conduct revegetation in fenced areas and retain large peppermint trees (Shire of Augusta Margaret River, 2020a). These concerns have been addressed in the above Decision Report. The Shire advised that the planning application for the proposed dam and truffle farm is currently being assessed but is likely to be approved with conditions (Shire of Augusta Margaret River, 2020b).

The Department of Water and Environmental Regulation has also received an application for a license to take water and a permit to interfere with the bed and banks of a watercourse (Department of Water and Environmental Regulation, 2020). The Department of Water and Environmental Regulation notes that these applications are currently being assessed but are likely to be granted with conditions (Department of Water and Environmental Regulation, 2020).

There are no Aboriginal Sites of Significance mapped 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) (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. Available from: <http://naturemap.dpaw.wa.gov.au/> (accessed January 2020).
- Department of Biodiversity, Conservation and Attractions (DBCA) (2020) DBCA South West Region comments regarding CPS 8750/1. DWER Ref: A1866979.
- Department of Parks and Wildlife (DPAW) (2015) White-bellied and Orange-bellied Frogs (*Geocrinia alba* and *Geocrinia vitellina*) Recovery Plan. Wildlife Management Program No. 59. Department of Parks and Wildlife, Perth, WA.
- Department of Parks and Wildlife (DPAW) (2017) Western Ringtail Possum (*Pseudocheirus occidentalis*) Recovery Plan. Wildlife Management Program No. 58. Department of Parks and Wildlife, Perth, WA.
- Department of Primary Industries and Regional Development (DPIRD) (2017) NRInfo Digital Mapping. Department of Primary Industries and Regional Development. Available from: <https://maps.agric.wa.gov.au/nrm-info/> (accessed February 2020).
- Government of Western Australia.
- Department of Water and Environmental Regulation (DWER) (2020) Comments regarding water licensing applications related to the Mogridge dam. DWER Ref: A1869078.
- Government of Western Australia (2019) 2018 State-wide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 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.

Mogridge, M. (2019) Clearing permit application and supporting documents for CPS 8750/1. DWER Ref: DWERT4985.

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 Augusta Margaret River (2020a) Comments regarding CPS 8750/1. DWER Ref: A1866380.

Shire of Augusta Margaret River (2020b) Comments regarding development approvals for the Mogridge dam. DWER Ref: A1873599.

Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Biodiversity, Conservation and Attractions. Available from: <http://florabase.dpaw.wa.gov.au/> (accessed February 2020).

#### GIS Databases:

- Aboriginal Sites of Significance
- DBCA Managed Estate
- Directory of Important Wetlands
- Geomorphic Wetlands Swan Coastal Plain
- Hydrography, hierarchy
- Hydrography, linear
- Land Degradation datasets
- NatureMap
- Perth Groundwater Mapping (DWER)
- Remnant Vegetation
- SAC Bio Datasets
- Soils, Statewide
- TPFL Data
- Vegetation Complexes, IBRA Bioregion
- WA Herbarium Data
- WA TEC/PEC Boundaries and Buffers