



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 8761/2
File Number: DWERVT5019
Duration of Permit: From 2 April 2021 to 2 April 2028

PERMIT HOLDER

Mr Peter Robert Beebe

LAND ON WHICH CLEARING IS TO BE DONE

Lot 9882 on Plan 203117, Boorara Brook
Lot 9883 on Plan 203117, Boorara Brook

AUTHORISED ACTIVITY

The permit holder must not clear more than 33.8 hectares of native vegetation within the area cross-hatched yellow in Figure 1 of Schedule 1.

CONDITIONS

1) Period in which clearing is authorized

The Permit Holder shall not clear any native vegetation after 2 April 2023.

2) Type of clearing authorised

To the extent authorised under this Permit, the Permit Holder may undertake the following activities within the area cross-hatched yellow on Figure 1 of Schedule 1:

- a) *Thinning* of Karri (*Eucalyptus diversicolor*), Marri (*Corymbia calophylla*), Blackbutt (*Eucalyptus patens*) and Jarrah (*Eucalyptus marginata*) trees;
- b) *culling* and burning of unsaleable trees;
- c) clearing for the establishment of up to two *log landings* no larger than 0.05 hectares in size in total;
- d) clearing of *understorey* where undertaken in association with the activities described under conditions 2(a), (b) or (c); and
- e) *prescribed burning* of *understorey* on one occasion.

3) Avoid, minimise, and reduce impacts and extent of clearing

In determining the native vegetation authorised to be cleared under this permit, the permit holder must apply the following principles, set out in descending 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.

4) Weed and dieback management

When undertaking any clearing authorised under this permit, the permit holder must take the following measures to minimise the risk of 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;
- c) only move soils in *dry conditions*; and
- d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

5) Vegetation management – thinning

- a) Thinning activities undertaken in accordance with condition 2(a) of this Permit must be performed by a *forestry operator*.
- b) Operation of logging machinery used to undertake activities authorised under this Permit must only be performed during *dry conditions*.
- c) Prior to undertaking any clearing authorised under this Permit, an *environmental specialist* must determine the species composition, structure and density of the *understorey* of areas proposed to be *thinned*.
- d) The Permit Holder shall not clear native vegetation within 30 metres of the *riparian vegetation* of any *watercourse* or *wetland* within and/or adjacent to the area cross-hatched yellow on Figure 1 of Schedule 1.
- e) The Permit Holder must retain a minimum of an average of 5 *habitat trees* per hectare.
- f) A minimum retention rate of 16 m²/hectare basal area is required within the area of clearing authorised under this Permit.
- g) A minimum of one 30 metre diameter patch of *healthy representative understorey*, on average, per hectare authorised to be cleared under this Permit, is required to be retained;
- h) On average, a minimum of one *ground habitat log* per hectare authorised to be cleared under this Permit, is required to be retained;
- i) The Permit Holder must remove all *woody fuels* present within a 1 metre radius of each *habitat tree* (retained under condition 5(e) of this Permit) and each ground habitat log (retained under condition 5(h) of this Permit);

- j) The Permit Holder must, by no later than 1 July 2023, during *dry conditions*, rehabilitate established *log landings* and *extraction tracks* by scarifying the soil surface to reduce compaction and facilitate natural regeneration.
- k) Within two years of 1 April 2023, the Permit Holder must:
 - i) engage an *environmental specialist* to determine the species composition, structure and density of the *understorey* of areas subject to *thinning*; and
 - ii) where, in the opinion of an *environmental specialist*, there is evidence that *understorey* will not recover and develop towards its pre-clearing composition, structure and density determined under condition 5(b), the Permit Holder must undertake *remedial action* at an *optimal time* within the next 12 months to ensure re-establishment of *understorey* prior to expiry of this Permit.

6) Vegetation management – prescribed burning

The Permit Holder must ensure that any *prescribed burning* undertaken in accordance with condition 2(e) of this permit shall only occur:

- a) Between spring and early summer in any year; and
- b) During *suitable conditions*.

7) Directional clearing

The permit holder must conduct clearing activities in a slow, progressive manner from one direction to the other to allow fauna to move into adjacent native vegetation ahead of the clearing activity.

8) Records that must be kept

The permit holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	<ul style="list-style-type: none"> a) the species composition, structure, and density of the cleared area; b) 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; c) the date that the area was cleared; d) the size of the area cleared (in hectares); e) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in

No.	Relevant matter	Specifications
		<p>accordance with condition 3;</p> <p>f) actions taken to minimise the risk of the introduction and spread of weeds and dieback in accordance with condition 4.</p>
2.	In relation to vegetation management pursuant to condition 5	<p>a) actions taken to avoid clearing native vegetation within 30 metres of the <i>riparian vegetation</i> of any <i>watercourses</i> or <i>wetland</i>;</p> <p>b) the species and number per hectare of <i>habitat trees</i> retained;</p> <p>c) the location of <i>habitat trees</i> retained, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;</p> <p>d) monitoring undertaken to ensure that the specified minimum <i>basal area</i> is retained;</p> <p>e) the locations of patches of <i>healthy representative understorey</i> vegetation retained, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;</p> <p>f) actions taken to remove <i>woody fuels</i> surrounding retained <i>habitat trees</i> and <i>ground habitat logs</i> in accordance with condition 5(i) of this Permit;</p> <p>g) number of <i>log landings</i> established and their location, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;</p> <p>h) the date(s) the <i>log landings</i> and <i>extraction tracks</i> were rehabilitated;</p> <p>i) the <i>environmental specialist's</i> report documenting the species composition, structure and density of the <i>understorey</i>; and</p> <p>j) photographs of the <i>understorey</i> taken at one year, two years and three years after completing clearing authorised under this Permit; and</p> <p>k) A detailed description of the nature and extent of any <i>remedial actions</i> undertaken.</p>

No.	Relevant matter	Specifications
3.	In relation to vegetation management pursuant to condition 6	a) date(s) when the prescribed burning activities were undertaken.

9) Reporting

- a) The Permit Holder must provide to the *CEO* on or before 30 June of each year, a written report:
 - (i) of records required under condition 8 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year.
- b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the *CEO* on or before 30 June of each year.
- c) Prior to 2 January 2028, the Permit Holder must provide to the *CEO* a written report of records required under condition 8 of this Permit where these records have not already been provided under condition 9(a) of this Permit.

DEFINITIONS

In this permit, the terms in Table have the meanings defined.

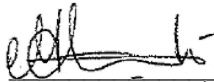
Table 2: Definitions

Term	Definition
basal area	is the method of expression of tree cover density in an area where the total area of tree trunk, whose diameter over bark is measured at 1.3 metres above the ground, is expressed as square metres per hectares of land area.
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the <i>Environmental Protection Act 1986</i> .
clearing	has the meaning given under section 3(1) of the EP Act.
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.
culled/ing	means the selective removal and/or killing of unsaleable trees for <i>thinning</i> , using methods including notching, felling or machine puching.
dieback	means the effect of <i>Phytophthora</i> species on native vegetation.
dry conditions	means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches.
environmental specialist	means an external person with experience relevant to the type of environmental advice that an environmental specialist is required to provide under this Permit, or who is approved by the CEO as a suitable environmental specialist.

Term	Definition
extraction tracks	means tracks along which trees felled by logging machinery are moved from the cutting site to a landing or roadside.
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
fill	means material used to increase the ground level, or to fill a depression.
forestry operator	means an external person with a minimum of 5 years of experience in conducting forestry activities to meet harvest and silvicultural standards required for native forest operations on lands managed by Department of Biodiversity, Conservation and Attractions.
ground habitat log	means a log with a minimum length of 3 metres and a minimum internal hollow diameter of 10 centimetres.
habitat tree	means trees that have a diameter, measured over bark at 1.3 meters from the base of the tree, of at least 70 centimetres for karri (<i>Eucalyptus diversicolor</i>) or marri (<i>Corymbia calophylla</i>) and of at least 50 centimetres for jarrah (<i>Eucalyptus marginata</i>) or blackbutt (<i>Eucalyptus patens</i>), that contain or have the potential to develop hollows or roosts suitable for native fauna.
healthy representative understorey	means native <i>understorey</i> vegetation that is vigorous, free of disease, and has a similar species composition to typical pre-clearing <i>understorey</i> vegetation present within the area in which clearing is authorised.
log landing	means an area established for the purpose of stockpiling commercially harvested trees, to enable loading for collection.
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.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
optimal time	means the period from April to June for undertaking direct seeding, and the period from May to July for undertaking planting.
prescribed burning	is the process of planning and applying fire to a predetermined area, under specific environmental conditions, to minimise the size and intensity of fire on life, property and critical infrastructure.
remedial action	means for the purpose of this Permit, any activity that is required to ensure successful re-establishment of <i>understorey</i> to its pre-clearing composition, structure and density, and may include a combination of soil treatments and revegetation.
riparian vegetation	has the meaning given to it in Regulation 3 of the <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i> .
suitable conditions	mean conditions that have been determined by a Bush Fire Officer appointed under the <i>Bush Fires Act 1954</i> to be suitable to allow the burning of vegetation within the area authorised under this Permit to occur.
thinned/ing	describes a silvicultural activity to promote the growth of selected trees by reducing competition through the removal of smaller stems with consideration of tree spacing to maintain the overall structure and composition of the dominant overstorey species;
understorey	means, for the purpose of this Permit, all native vegetation that does not include trees to be <i>culled</i> or subject to harvest.
watercourse	has the meaning given to it in section 3 of the <i>Rights in Water and Irrigation Act 1914</i> .
weeds	means any plant – (a) that is a declared pest under section 22 of the <i>Biosecurity and</i>

Term	Definition
	<p><i>Agriculture Management Act 2007</i>; or</p> <p>(b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or</p> <p>(c) not indigenous to the area concerned.</p>
wetland	means an area of seasonally, intermittently or permanently waterlogged or inundated land, whether natural or otherwise, and includes a lake, swamp, marsh, spring, dampland, tidal flat or estuary.
woody fuels	mean woody vegetative materials that have a diameter of 75 mm or greater and a length of 1 metre or greater.

END OF CONDITIONS



Meenu Vitarana
A/MANAGER

NATIVE VEGETATION REGULATION

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

24 December 2021

SCHEDULE 1



Figure 1: Map of the boundary of the area within which clearing may occur



Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 8761/2
Permit type:	Area permit
Applicant name:	Mr Peter Robert Beebe
Application received:	12 December 2019
Application area:	33.804 hectares of native vegetation
Purpose of clearing:	Timber harvesting
Method of clearing:	Mechanical
Property:	Lot 9882 on Plan 203117 Lot 9883 on Plan 203117
Location (LGA area/s):	Shire of Manjimup
Localities (suburb/s):	Boorara Brook

1.2. Description of clearing activities

The proposed clearing consists of thinning of native vegetation within two separate areas (see Figure 1, Section 1.5). As prescribed by the permit conditions, thinning will be undertaken by the removal of smaller stems with consideration of tree spacing to maintain the overall structure and composition of the dominant overstorey species. Following harvesting, the thinned areas will also be burnt in accordance with conditions of the permit.

1.3. Decision on application

Decision:	Granted
Decision date:	24 December 2021
Decision area:	33.804 hectares of native vegetation as depicted in Section 1.5 below.

1.4. Reasons for decision

On 10 March 2021, Clearing Permit CPS 8761/1 was granted to clear 33.804 hectares of native vegetation within Lot 9882 on Plan 203117 and Lot 9883 on Plan 203117, Boorara Brook. Two appeals were lodged against the granting of this permit.

This clearing permit amendment gives effect to the determination of the Minister for Environment (Minister) to allow in-part the appeals (Appeal Number 007 of 2021). In their determination, the Minister identified that the clearing permit would require amendment to include additional conditions as follows:

- Soil compaction and erosion mitigation:
 - Authorise up to 2 log landings of up to 0.05 ha in total;
 - The definition for habitat tree be corrected to be measured at 1.3 metres above ground level;

- Extraction tracks are to be rehabilitated by scarifying the soil surface to reduce compaction and facilitate natural regeneration;
- Operation of logging machinery is limited to dry conditions;
- Rehabilitation of log landings and extraction tracks is limited to dry conditions;
- Fauna and fungi habitat management:
 - 'Thinning from below' approach to be used to remove immature trees and retain mature trees at the minimum retention rate;
 - A minimum retention rate of 16 m²/ha basal area, on average;
 - Retention of a minimum of 5 habitat trees per hectare, on average;
 - Retention of a minimum of one 30 metre diameter patch of healthy understorey vegetation per hectare, on average;
 - Retention of a minimum of one ground habitat log per hectare, on average;
- Fire mitigation:
 - Prescribed burning of understorey to only occur:
 - One one occasion;
 - In spring or early summer; and
 - During conditions that have been determined to be suitable by a Bush Fire Officer appointed under the *Bush Fires Act 1954*; and
 - Removal of all woody fuels present within a 1 metre radius of each retained habitat element.

Given the above, the Delegated Officer decided to grant a clearing permit to reflect the Minister's determination.

1.5. Site map

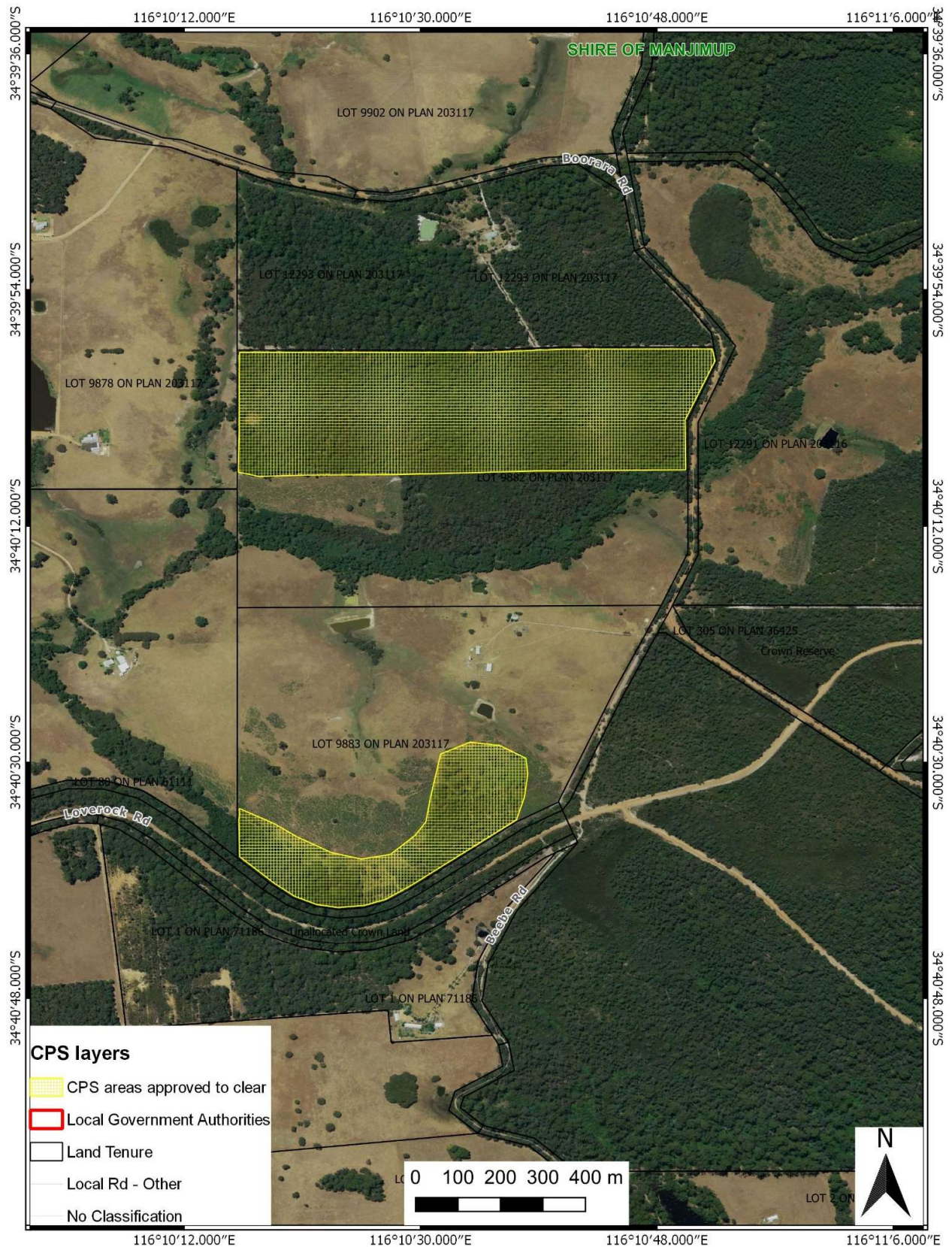


Figure 1. Map of the application area. The areas crosshatched yellow indicate the areas authorised to be cleared under the granted clearing permit.

2 Legislative context

The clearing of native vegetation in Western Australia is regulated under the EP Act and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (Clearing Regulations).

In addition to the matters considered in accordance with section 51O of the EP Act (see Section 1.4), the Delegated Officer has also had regard to the objects and principles under section 4A of the EP Act, particularly:

- the precautionary principle
- the principle of intergenerational equity
- the principle of the conservation of biological diversity and ecological integrity.

Other legislation of relevance for this assessment include:

- *Biodiversity Conservation Act 2016* (WA) (BC Act)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)

The key guidance documents which inform this assessment are:

- *A guide to the assessment of applications to clear native vegetation* (DER, December 2013)
- *Procedure: Native vegetation clearing permits* (DWER, October 2019)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2016)

3 Assessment of application

This amendment is the result of an appeal determination made by the Minister for Environment regarding the conditions of Clearing Permit CPS 8761/1.

The assessment against the clearing principles outlined in Schedule 5 of the *Environmental Protection Act 1986*, and environmental information specific to the application area, are unchanged and can found in the Decision Report prepared for Clearing Permit CPS 8761/1.

End