GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS
Area Permit Number: 8824/1
File Number: DWERVT5397
Duration of Permit: From 27 June 2020 to 27 June 2022

PERMIT HOLDER
Craig Francis Porter

LAND ON WHICH CLEARING IS TO BE DONE
Lot 111 on Deposited Plan 55661, Quinninup

AUTHORISED ACTIVITY
The Permit Holder shall not clear more than 11.933 hectares of native vegetation within the area cross-hatched yellow on attached Plan 8824/1.

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. **Fauna management – clearing not allowed**
   The Permit Holder must not clear 140 *habitat trees* within the area cross-hatched yellow on attached Plan 8824/1.

4. **Fauna management – direction of clearing**
   The Permit Holder shall conduct clearing in a slow progressive manner from one direction to the other (e.g. west to east) to allow fauna to move into adjacent native vegetation ahead of the clearing activity.

5. **Land degradation management**
   The Permit Holder must ensure that the planned land use activities commence within three months of the authorised clearing being undertaken, to reduce the potential water erosion and eutrophication.

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 direction in which clearing was undertaken;
(d) the size of the area cleared (in hectares);
(e) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 1 of this Permit;
(f) actions taken to minimise the risk of the introduction and spread of *dieback* and *weeds* in accordance with condition 2 of this Permit;
(g) evidence of retaining 140 *habitat trees* in accordance with condition 3 of this Permit;
(h) actions taken in accordance with condition 4 of this Permit; and
(i) actions taken in accordance with condition 5 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;

habitat trees mean trees that have a diameter, measured at 1.5 metres from the base of the tree, of 50 centimetres or greater (or 30 centimetres or greater for *Eucalyptus salmonophloia* or *Eucalyptus wandoo*).

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 -

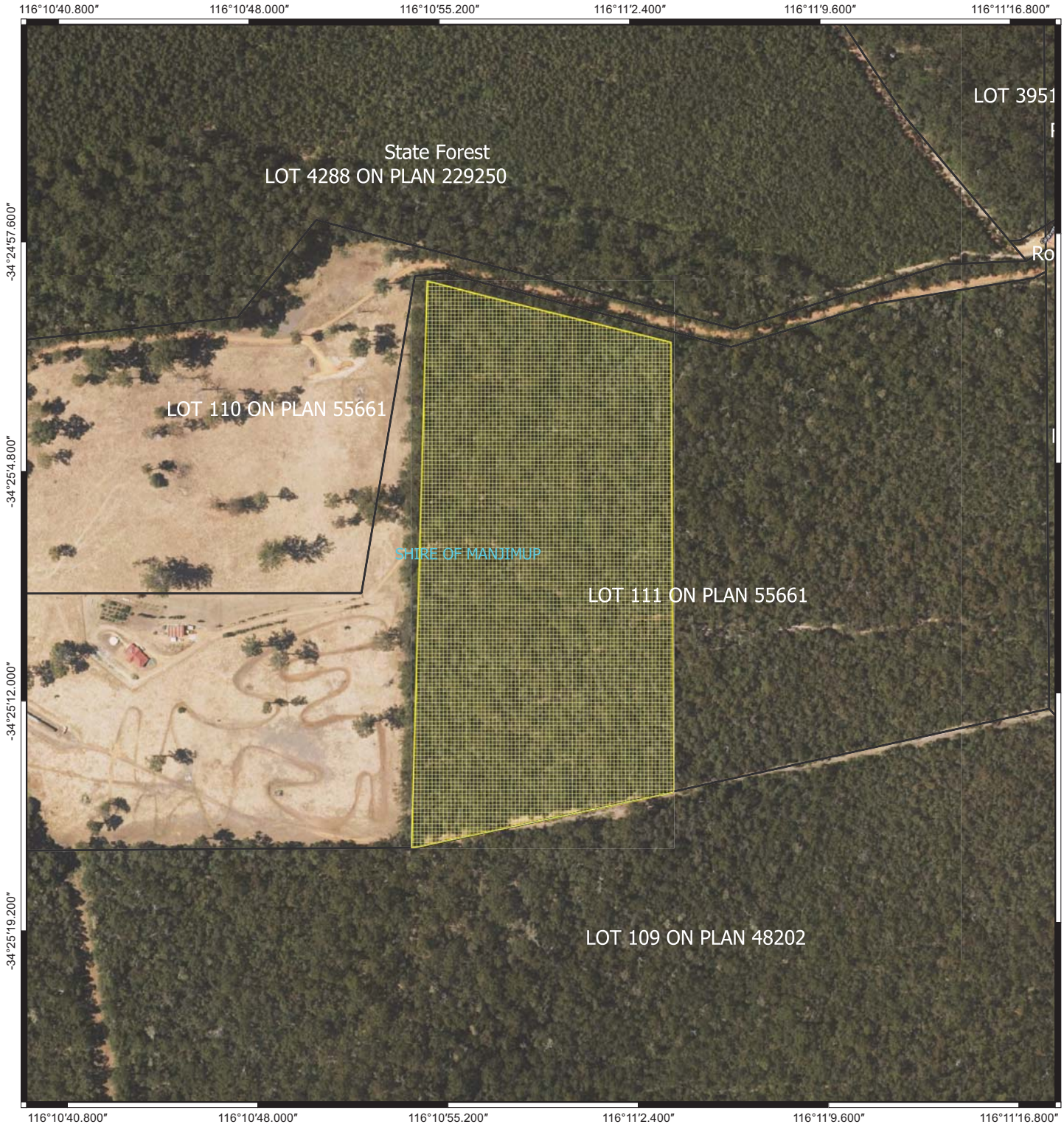
(a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
(b) published in a Department of Biodiversity, Conservation and Attractions Regional Weed Rankings Summary, regardless of ranking; or
(c) not indigenous to the area concerned.

Richard Newman
DIRECTOR
NATIVE VEGETATION PROTECTION

Officer delegated under Section 20
of the Environmental Protection Act 1986

5 June 2020

Plan 8824/1



Legend

- CPS areas approved to clear
- base layers
- Local Government Authorities
- Cadastre - LGATE 218
- Image

N

0 75 150 m

MGA 94
Geocentric Datum of Australia 1994

5 June 2020

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

GOVERNMENT OF
WESTERN AUSTRALIA

Government of Western Australia
Department of Water and Environmental Regulation

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8824/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Mr Craig Francis Porter
Application received date: 25 February 2020

1.3. Property details

Property: Lot 111 on Deposited Plan 55661, Quinninup
Local Government Authority: Shire of Manjimup
Localities: QUINNINUP

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 5 June 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* (EP Act). It has been concluded that the proposed clearing may be at variance with principles (b) and (h) and is not likely to be at variance with the remaining principles.

The Delegated Officer considered the following:

- the application area contains suitable habitat for several conservation significant fauna species. The Delegated Officer determined that environmental impacts can be adequately mitigated through fauna management measures such as:
  - avoidance of all trees with a diameter at breast height (DBH) greater than 500 millimetres within the application area; and
  - slow directional clearing.
- the application area is adjacent to Warren State Forest and the proposed clearing may impact this conservation area through the potential spread of weeds. The Delegated Officer determined that weed management practices will assist in managing potential impacts to adjacent vegetation.

The Delegated Officer took into account that the applicant reduced the application area from 20.42 hectares to 11.933 hectares and committed to retain all 140 trees with DBH greater than 500 millimetres that occur within the application area.

In determining to grant a clearing permit subject to the above management conditions, the Delegated Officer found that the proposed clearing is not likely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description

The application is to clear 11.933 hectares of native vegetation within Lot 111 on Deposited Plan 55661, Quinninup (Figure 1), for the purpose of grazing.

Vegetation Description

The application area occurs within the 'Warren' Interim Biogeographic Regionalisation for Australia (IBRA) bioregion, and is mapped as the following South West Forest vegetation complexes (Mattiske and Havel, 1998):

- LF (approximately 21.6 percent or 2.6 hectares of the application area) described as tall open forest of *Eucalyptus diversicolor – Corymbia calophylla* on slopes and low woodland of *Agonis juniperina – Callistachys lanceolate* - on lower slopes in hyperhumid and perhumid zones; and
- Cry (approximately 88.4 percent or 9.633 hectares of the application area) described as tall open forest *of Corymbia calophylla* with mixture of *E. marginata* subsp. *marginata* and *E. diversicolor* on uplands in hyperhumid and perhumid zones.

A review of photographs and a video submitted by the Applicant (2020b) identified that vegetation within the application area comprises of *E. diversicolor, E. marginata and Corymbia callophyla* forest, with dominant species *E. diversicolor,* over open native understorey dominated by *Pteridium esculentum* (Figure 2a-c).

Vegetation Condition

The condition of the vegetation within the application area is considered to be in good to degraded condition, described as:

- Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994) to
- Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).

The condition of the vegetation was determined based on the supporting information provided by the applicant (Applicant, 2020b).

Soil type

The application area is mapped as the following land subsystems (Schoknecht et al., 2004):

- Lefroy Subsystem (Pimelia) subsystem (approximately 21.6 percent or 2.6 hectares of the application area), which is described as 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; and
- Crowea (Dwalganup), yellow duplex Phase subsystem (approximately 88.4 percent or 9.633 hectares of the application area) which is described as Gravelly yellow duplex soils; jarrah-marri forest.

Comments

The local area is considered a 10 kilometre radius from the perimeter of the application area.

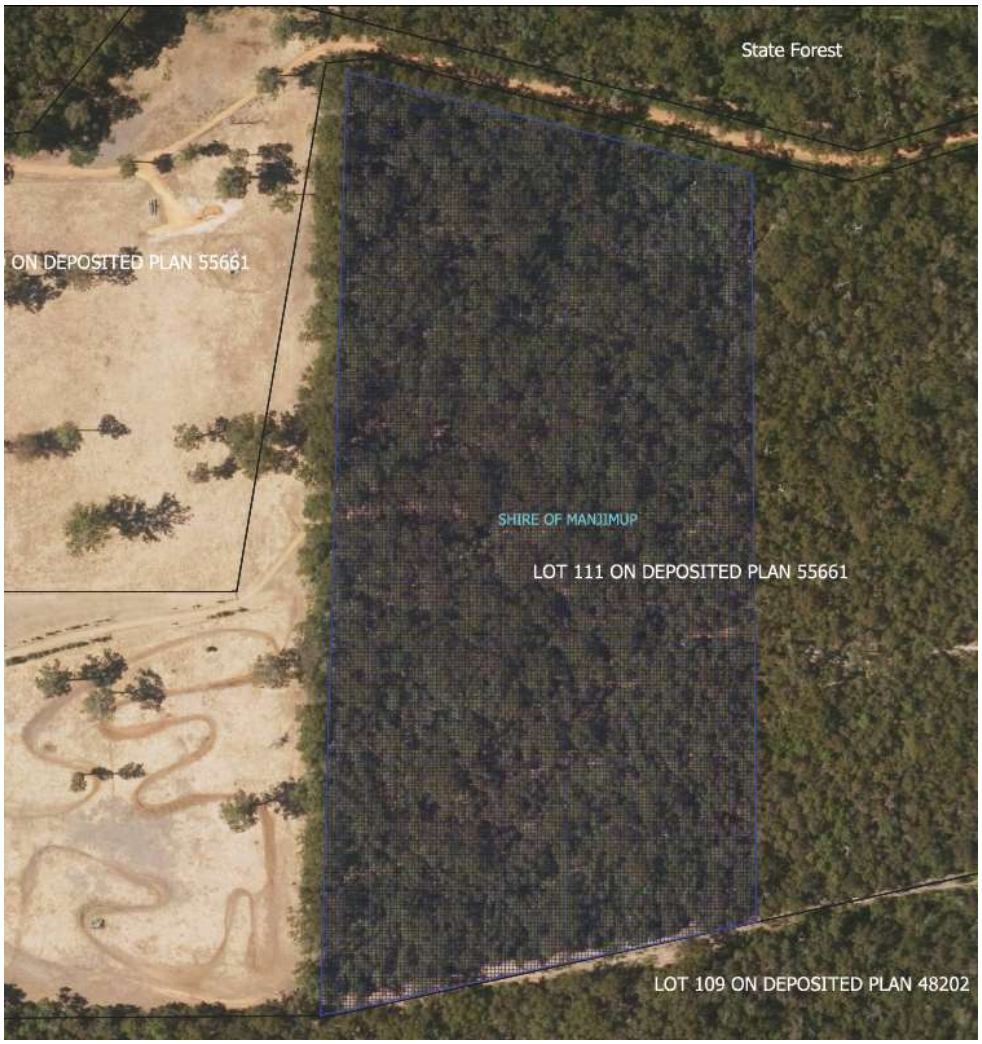


Figure 1 Application area cross-hatched blue

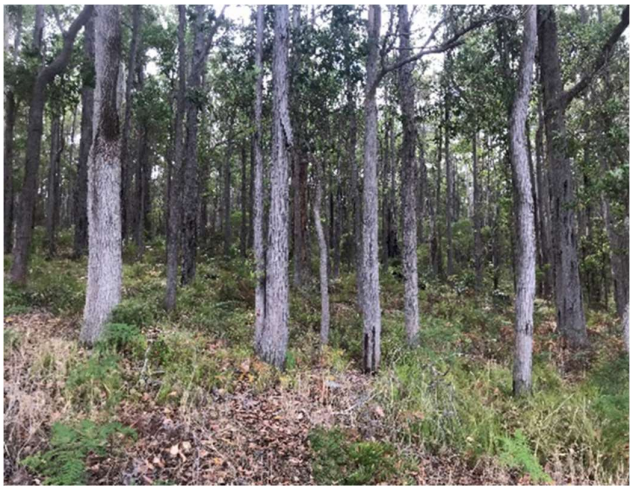


Figure 2a

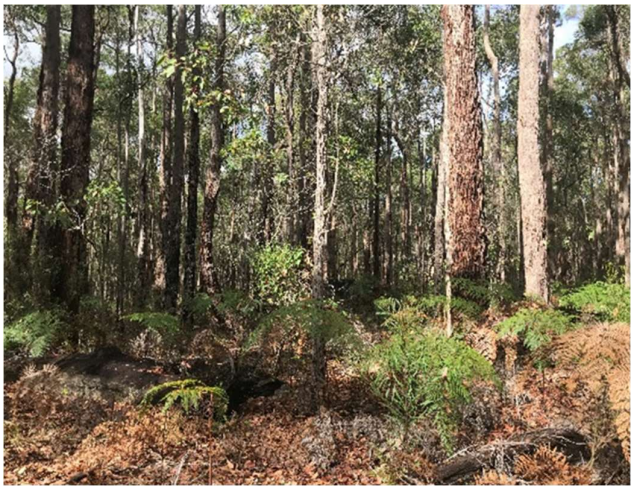


Figure 2b

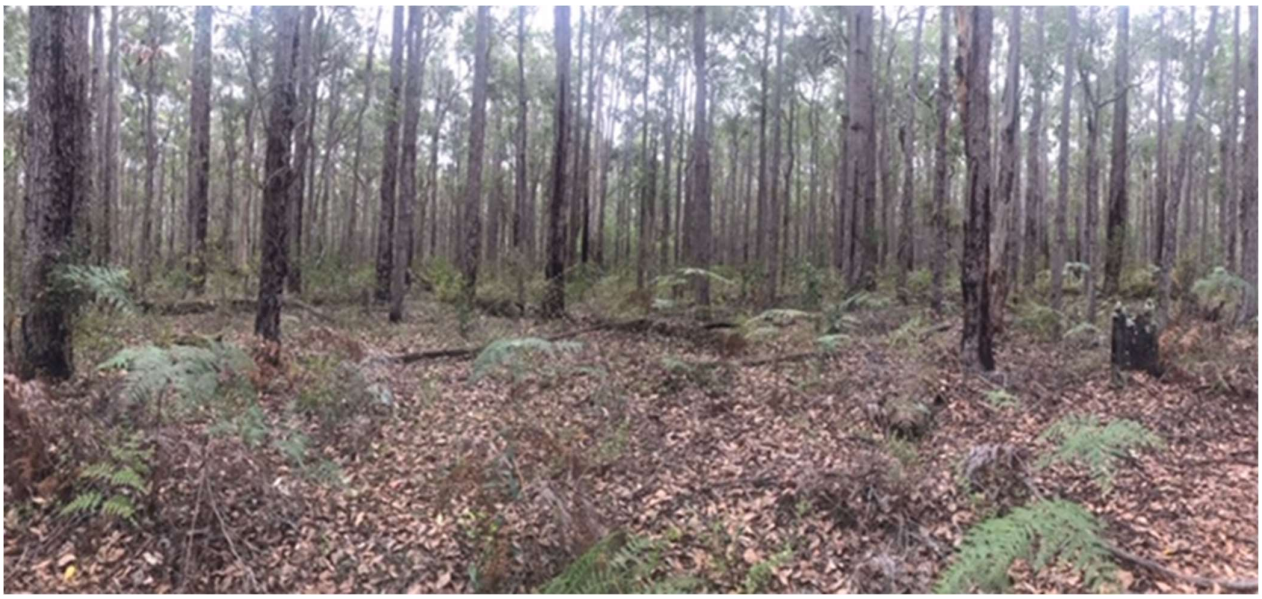


Figure 2c

Figures 2a-c: Representative photos of the vegetation within the application area (Applicant, 2020a).

3. Minimisation and mitigation measures

In relation to whether alternatives have been considered that would avoid or minimise the need for clearing, the Applicant (2020b) has advised: “All large trees will remain. This land is required to sustain more cattle – no other land is available”.

On 8 April 2020, the Applicant reduced the application area by approximately 40 percent; from 20.42 hectares to 11.933 ha. In addition, the applicant committed to avoid clearing of all trees within the application area with a diameter at breast (DBH) high greater than 500 millimetres (Applicant, 2020c).

On 20 April 2020, the Applicant (2020d) clarified that there are 140 trees with DBH greater than 500 millimetres within the application area.

4. Assessment of application against clearing principles, planning instruments and other relevant matters

The proposed clearing may be at variance with principle (b) and (h) and is not likely to be at variance with the remaining clearing principles.

According to available databases, two threatened and eight priority flora species have been mapped within the local area. *Caladenia christineae,* listed as threatened under the *Biodiversity Conservation Act 2016* (BC Act) has been mapped within similar soil and vegetation type as mapped within the application area. The remaining flora have been mapped within different soil and vegetation types. *Caladenia christineae* is known from one population in the local area recorded approximately 9.1 kilometres southwest from the application area. The species occupies sandy, clayey loam, laterite soils on the margins of winter-wet flats, swamps, & freshwater lakes (Western Australian Herbarium, 1998-). Noting that no wetlands have been mapped within the application area and that the understorey is dominated by *Pteridium esculentum,* the application area is not likely to comprise suitable habitat for this flora species.

According to available databases, no threatened or priority ecological communities listed under the BC Act or the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) have been mapped within the local area. Considering this and that no threatened or priority flora species are likely to occur within the application area, the application area is not likely to comprise a high level of biodiversity.

According to available databases, 20 conservation significant fauna species have been recorded within the local area. Taking into account the habitat requirements of these species, and the mapped vegetation type and the condition of the vegetation within the application area, the application area may comprise suitable habitat for forest red-tailed black cockatoo (*Calyptorhynchus banksia* subsp. *naso*), Carnaby's cockatoo (*Calyptorhynchus latirostris*), Baudin's cockatoo (*Calyptorhynchus baudinii*) (collectively known as black cockatoos), south-western brush-tailed phascogale (*Phascogale tapoatafa* subsp. *wambenger*) and western ringtail possum (*Pseudocheirus occidentalis*) (Department of Biodiversity, Conservation and Attractions (DBCA), 2007-).

According to available databases, the application area is located outside the mapped confirmed breeding area for black cockatoos. The closest confirmed breeding tree is located approximately 43 kilometres northeast from the application area. Suitable breeding habitat for black cockatoos includes trees which either have a suitable nest hollow or are of a suitable (DBH) to develop a nest hollow. For most tree species, suitable DBH is 500 millimetres (Commonwealth of Australia, 2012). The Applicant (2020c and 2020d) committed to retain all 140 mature trees with DBH>500 millimetres that occur within the application area. Noting this, the proposed clearing is not likely to impact black cockatoo breeding habitat.

Black cockatoos prefer foraging habitat that includes jarrah and marri woodlands and forest heathland and woodland dominated by proteaceous plant species such as *Banksia* sp., *Hakea* sp. and *Grevillea* sp. (Commonwealth of Australia, 2012). Noting the vegetation types within the application area as described in Section 2 of the report, the application area may provide suitable foraging habitat for black cockatoo species. However, while karri is a known foraging plant for black cockatoo species, it is not considered a preferred species (Commonwealth of Australia, 2012). Remnant vegetation is also abundant in the local area and is likely to comprise similar or better quality foraging habitat for black cockatoo species, with majority of these remnants occurring within Department of Biodiversity Conservation and Attractions (DBCA) managed estate. Furthermore, the Applicant (2020c and 2020d) committed to retain all 140 mature trees with DBH>500 millimetres that occur within the application area. Considering this, the application area is not likely to comprise significant foraging habitat for black cockatoo species.

Foraging habitat for black cockatoos within seven kilometres of a breeding site is important to adequately support breeding pairs, and individual night roosting sites need food and water within six kilometres (Environmental Protection Authority (EPA), 2019). Overlapping foraging within 12 kilometres also support roosting sites and maintain habitat connectivity and movement across the landscape (EPA, 2019). Within this area, there are no roosting sites and the closest roosting site is approximately 17.5 kilometres southwest of the application area. Given this, the application area is not likely to provide significant foraging habitat for black cockatoos.

The western ringtail possum (WRP) is an arboreal folivore associated with mature *Corymbia calophylla* (marri) and *Eucalyptus marginata* (jarrah) forests within the Southern Forest management zone surrounding Manjimup, characterised by high canopy cover and connectivity (DPAW, 2017). Given that the application area comprises predominantly karri trees, the application area may provide suitable habitat for the WRP. However, larger remnants of suitable habitat for western ringtail possums are abundant in the local area, with the majority of these remnants occurring within DBCA managed estate. Moreover, the Applicant (2020c and 2020d) committed to retain all 140 trees with DBH>500 millimetres that occur within the application area. Noting the above, the proposed clearing is not likely to have a significant impact on habitat for WRP. In addition, clearing works undertaken in a slow, progressive manner in one direction (i.e. west to east) will ensure that WRP individuals have adequate ability to escape into adjacent vegetation.

The southern brush-tailed phascogale inhabits dry sclerophyll forests and open woodlands that contain hollow-bearing trees but a sparse ground cover (DBCA,-). The application area contains a number of large trees, and therefore, the application area may provide habitat for this fauna species. However, noting the Applicant's (2020c and 2020d) commitment to retain all 140 mature trees with DBH>500 millimetres and the highly vegetated local area, the proposed clearing is not likely to significantly impact on the southern brush-tailed phascogale habitat. In addition, clearing works undertaken in a slow, progressive manner in one direction (i.e. west to east) will ensure that brush-tailed phascogale individuals have adequate ability to escape into adjacent vegetation.

According to available databases, the application area is not mapped within any ecological linkage. The closes linkage is South West Region Ecological Linkage axis line (ID 145) which runs approximatelly 660 metres west of the application area. Given this, the proposed clearing is not likely to impact fauna movement through the landscape.

The National Objectives and Targets for Biodiversity Conservation include a target to prevent the clearance of ecological communities with an extent below 30 percent of that present pre-European settlement (Commonwealth of Australia, 2001). The application area falls within the Warren IBRA bioregion and is mapped as LF and Cry vegetation associations. A review of the current datasets identified that the mapped IBRA bioregion and the vegetation associations retain approximately 79, 82 and 72 percent of their pre-European extent respectively (Government of Western Australia, 2019). Given this, the application area is not considered a significant remnant of native vegetation in an area that has been extensively cleared.

According to available databases, no watercourses or wetlands are mapped within the application area. Noting this, the proposed clearing is not likely to impact vegetation growing in, or in association with, an environment associated with a watercourse or wetland.

According to available databases, approximately 20 percent of the application area has moderate to high water erosion and phosphorus export risk (Department of Primary Industries and Regional Development (DPIRD), 2020). The Commissioner of Soil and Land Conservation (2020) noted that the steeper slopes and soil types of the Lefroy Subsystem have a high risk of water erosion that could possibly contribute to siltation and eutrophication of waterways. Given this, the Commissioner advised that the proposed clearing may cause land degradation in the form of water erosion and eutrophication, and therefore, may be at variance

with Principle (g). A review of the current databases determined that the closest watercourse is located approximately 60 metres north of the application area. The greater majority of the area between the watercourse and the application area comprises a remnant of native vegetation occurring within a DBCA managed land which will act as a buffer to reduce the risk of water erosion and phosphorus export. In addition, to reduce the risk, the applicant will be required to undertake the proposed activities within three months of clearing. Considering this, the proposed clearing is unlikely to cause appreciable land degradation.

According to available databases, the closest conservation area is Warren State Forest (Class A) located approximately 30 metres north of the application area. Noting this, the proposed clearing may impact on the environmental value of this state forest through the potential spread of weeds and dieback. A weed and dieback management measures will mitigate any potential impacts to Warren State Forest.

The application area falls within Zone C of the Warren River Water Reserve Catchment. The Department of Water and Environmental Regulation's (DWER) Salinity and Land Use Impacts (SLUI) branch on potential water impacts advised that given the high level of remnant vegetation within the relevant sub-catchment of the water reserve, the risk for increased salinization due to the clearing is decreased (DWER SLUI ,2020). The advice was provided in relation to the initial application for broadscale clearing of 20.42 hectares, and this assessment notes that the applicant has reduced the application area to 11.933 hectares and committed to retain all trees mature trees. Noting this, the proposed clearing is not likely to cause deterioration in the quality of surface or underground water.

Planning instruments and other relevant matters.

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

The clearing permit application was advertised on the DWER website on 13 March 2020 with a 21 day submission period. No public submissions have been received in relation to this application.

Advice from the Shire of Manjimup has been sought in relation to the proposed clearing. The Shire advised it has no objection and that there are no planning or other matters which would affect the proposal. The Shire further advised that the land is zoned by Local Planning Scheme No. 4 as "Priority Agriculture" and planning approval for clearing of vegetation is not required. It was also noted that the purpose of the clearing is for grazing which did not require local government planning approval.

As discussed above, advice on the application was sought from DWER's SLUI branch which advised that the application area lies within the '1 September 1978' *Country Areas Water Supply Act 1947* (CAWS Act) gazetted Warren River Water Reserve. The relevant part of the reserve is not currently a Public Drinking Water Source Area and no priority source protection has been assigned or is proposed. The catchment has however been subject to CAWS Act native vegetation clearing controls since December 1978 to prevent salinisation of water resources.

DWER records showed no licence or compensation history for Lot 111 or the original 1978 holding that included the neighbouring Lot 110 (then Lot 4822).

The proposed clearing is located within Zone C of the catchment. This is a moderate salinity risk area where Department of Water Policy and Guidelines for the "Granting of Licences to Clear Indigenous Vegetation" provide for the grant of licences to clear up to 25 hectares for and from the holding in 1978, subject to the statutory requirement that 10 percent of the land in question remains uncleared. There is provision for the clearing of a further 25 hectares within a holding subject to no adverse water quality impacts.

SLUI calculated that a pro-rata area of 23.8 hectares of clearing may be allocated to Lot 111 based on the proportion of the subject land's area of the original 1978 holding and subject to the above conditions.

Analysis of 2017 aerial imagery of Lot 111 indicates that approximately 69.7 percent (28.6 hectares) of native vegetation remains on the property. If a clearing permit were granted for the 20.42 hectares, around 20 percent (8.18 hectares) of native vegetation would remain on the holding. Given this SLUI did not have any objections to the proposed clearing (DWER, 2020).

5. References

Applicant. (2020a). Supporting information in relation to clearing permit application CPS 8824/1. Received by the Department of Water and Environmental Regulation on 17 April 2020. DWER Ref: A1885492.

Applicant. (2020b). Application form for the clearing permit application CPS 8824/1. Received by the Department of Water and Environmental Regulation on 25 February 2020. DWER Ref: A1871197.

Applicant. (2020c). Additional information in relation to clearing permit application CPS 8824/1. Reduction of the application area. Received by the Department of Water and Environmental Regulation on 8 April 2020. DWER Ref: A1883395.

Applicant. (2020d). Additional information in relation to clearing permit application CPS 8824/1. Confirmation of the number of habitat trees within the application area. Received by DWER on 20 April 2020. DWER Ref: A1886778.

Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.

Commonwealth of Australia (2012). EPBC Act referral guidelines for three threatened black cockatoo species. Department of Sustainability, Environment, Water, Populations and Communities, Canberra

Commissioner of Soil and Land Conservation. (2020). Advice received in relation to clearing permit application CPS 8824/1. DWER Ref: A1900091.

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 August 2017.

Department of Biodiversity, Conservation and Attractions (DBCA). (-). Brush-tailed Phascogale. *Phascogale tapoatafa* (Meyer, 1793). Accessed on 6 May 2020. Retrieved from https://library.dbca.wa.gov.au/static/FullTextFiles/071549.pdf

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) (2020). NRInfo Digital Mapping. Accessed at https://maps.agric.wa.gov.au/nrm-info/ Accessed May 2020. Department of Primary Industries and Regional Development. Government of Western Australia.

Department of Water and Environmental Regulation (DWER). Regulatory Services – Water. Salinity and Land Use Impacts (SLUI) branch. (2020) *Country Areas Water Supply Act 1947* advice (DWER Ref: A1881804).

Environmental Protection Authority (EPA). (2019). EPA Technical Report: Carnaby's Cockatoo in Environmental Impact Assessment in the Perth and Peel Region. Advice of the Environmental Protection Authority under Section 16(j) of the *Environmental Protection Act 1986*.

Government of Western Australia (2019) 2018 South West Vegetation Complex Statistics. Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions, Perth, 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 (2020) Supporting Information for clearing permit application CPS 8824/1. Shire of Manjimup. Received by DWER on 16 March 2020. DWER Ref: A1876796.

Western Australian Herbarium (1998-). FloraBase - the Western Australian Flora. Department of Biodiversity, Conservation and Attractions. https://florabase.dpaw.wa.gov.au/ Accessed May 2018

GIS databases

- CPS Areas applied to clear
- NatureMap (conservation significant fauna)
- DAFWA Subsystems V5
- Soils of WA
- Vegetation Complexes – Swan Coastal Plain
- Managed Tenure
- Environmentally Sensitive Areas
- TPFL Data May 2020
- WAHerb Data May2020
- Aboriginal Sites Register
- IBRA Vegetation WA
- WA TECPEC
- Land Degradation Hazards