



Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 9115/1
Permit type:	Purpose permit
Applicant name:	Collie Clay Target Club
Application received:	17 November 2020
Application area:	1.7 hectares of native vegetation
Purpose of clearing:	Installation of a new clay target shooting layout
Method of clearing:	Mechanical
Property:	Lot 111 on Deposited Plan 70794
Location (LGA area/s):	Shire of Collie
Localities (suburb/s):	Palmer

1.2. Description of clearing activities

The vegetation proposed to be cleared is contained within a single contiguous area within Lot 111 on Deposited Plan 70794 (see Figure 1, Section 1.5). The proposed clearing is to support the installation of a new clay target shooting layout adjacent to existing targets.

1.3. Decision on application

Decision:	Refused
Decision date:	24 January 2023
Decision area:	1.7 hectares of native vegetation as depicted in Section 1.5 below.

1.4. Reasons for decision

This clearing permit application was submitted, accepted, assessed and determined in accordance with sections 51E and 51O of the *Environmental Protection Act 1986* (EP Act). The Department of Water and Environmental Regulation (DWER) advertised the application for 21 days and no submissions were received.

In making this decision, the Delegated Officer had regard for planning instruments and other matters considered relevant to the assessment. The assessment identified that the application area is within an area in which DWER requires a *Country Areas Water Supply Act 1947* (CAWS Act) Licence to clear native vegetation, if compensation has been previously paid to the landowner to retain vegetation for salinity control purposes, and that in this instance a CAWS Act Licence to Clear would not be issued if applied for (refer to Section 3 for further details).

The applicant was invited to make a submission to detail why the application should not be refused on the above basis. The department did not receive a submission from the applicant to detail why the application should not be refused.

In accordance with section 51O(4) of the EP Act, the requirement for a CAWS Act Licence to Clear is a relevant matter to the assessment and determination of the clearing permit application. Noting that a CAWS Act Licence

would be refused, and as such that the applicant would not be permitted to clear within the application area under the CAWS Act, the Delegated Officer decided to refuse to grant a clearing permit.

1.5. Site map

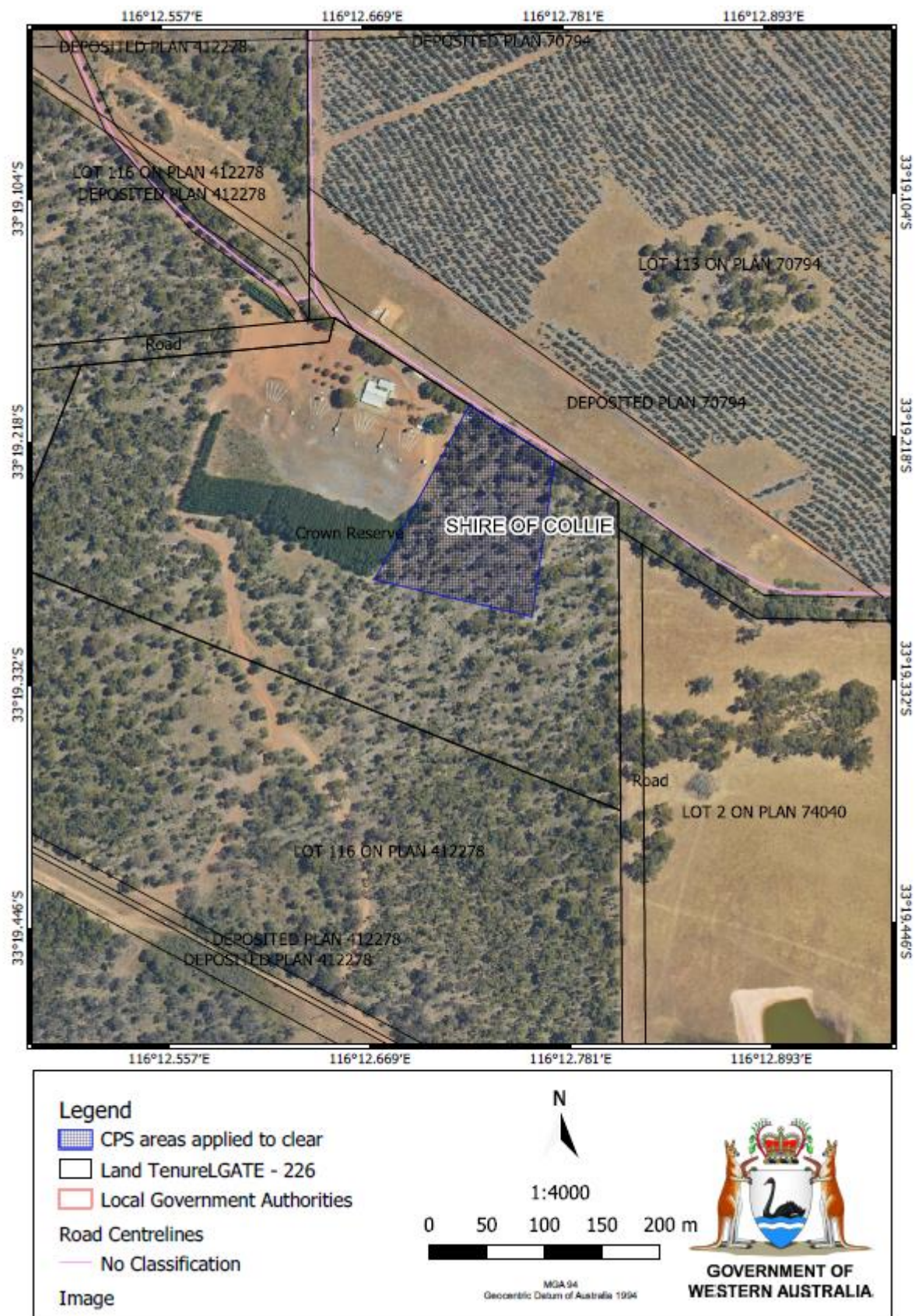


Figure 1. Map of the application area

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:

- *Country Areas Water Supply Act 1947* (WA) (CAWS Act)

3 Detailed assessment of application

3.1. Avoidance and mitigation measures

The applicant submitted the following evidence to demonstrate avoidance / mitigation measures had been considered:

- Surveying and satellite measurements of the area had been done to ascertain the minimum amount of trees/vegetation required to provide for the installation of the proposed shooting layout.

3.2. Assessment of impacts on environmental values

An assessment of the clearing against the clearing principles was conducted (refer to Appendix C), which found that the proposed clearing may be at variance to principles (a), (b) and (g), and was not likely to be at variance to the remaining principles. Noting that the Delegated Officer decided to refuse to grant a clearing permit on the basis of matters (other than environmental values) deemed relevant by the CEO (refer to Section 3.3 for further details), information to further inform an environmental assessment was not sought and a more detailed assessment of impacts of the proposed clearing to environmental values was not conducted.

3.3. Relevant planning instruments and other matters

Lot 111 on Deposited Plan 70794 is a reserve with management vested with the Shire of Collie with the purpose of recreation. The Shire of Collie advised DWER that it had granted permission for the Collie Clay Target Club to make an application for a clearing permit and the Shire had no further comment on the matter (Shire of Collie, 2020).

The application area occurs within the CAWS Act Wellington Dam Catchment Area. The catchment has been subject to CAWS Act native vegetation clearing controls since November 1976 to prevent salinisation of water resources. The application area is in Zone A of the Wellington Dam Catchment Area. This is a very high salinity risk zone where DWER Policy and Guidelines for the "Granting of Licences to Clear Indigenous Vegetation" do not provide for the granting of licences to clear if the vegetation is subject to compensation (powers conferred under the CAWS Act).

DWER (2021) notes that it was previously the owner of the subject land when it was part of a larger parcel, Lot 9 on Plan 14975. The land was purchased by the then Water Authority under the compensation provisions contained within Part IIA of the CAWS Act. DWER (2021) considers this land to be subject to the normal constraints pertinent to compensated vegetation.

Further, in situations not subject to compensation, clearing is only supported if the works are for essential property maintenance, extreme management situations, or essential government works. The purpose of clearing does not fit within these categories (DWER, 2021).

Given the above, a CAWS Act Licence to Clear would not be issued in this instance (DWER, 2021).

End

Appendix A. Site characteristics

A.1. Site characteristics

Characteristic	Details
Local context	<p>The area proposed to be cleared is part of an approximately 5-hectare patch of native vegetation, separated by other patches by roads and tracks, in the intensive land use zone of Western Australia. It is adjacent to cleared land to the northwest and northeast, and native vegetation to the southeast and southwest.</p> <p>Spatial data indicates the local area (10-kilometre radius from the centre of the area proposed to be cleared) retains approximately 65 per cent of the original native vegetation cover.</p>
Ecological linkage	<p>The application area is approximately 1.5 km southwest of an ecological linkage line identified in the South West Regional Ecological Linkages (Molloy et. al., 2009). It is part of a local linkage associated with forested areas but due to its extent and location is unlikely to play a significant role in this linkage.</p>
Conservation areas	<p>The application area is approximately 720 m southeast of Harris River State Forest.</p>
Vegetation description and condition	<p>A site inspection undertaken by Department of Water (DoW) in 2016 for a previous clearing permit application (CPS 7169/1) indicates vegetation within the application area consists of <i>Eucalyptus marginata</i> (jarrah) and <i>Corymbia calophylla</i> (marri) forest. This is consistent with the mapped vegetation type:</p> <ul style="list-style-type: none"> Dwellingup (D1) (78), which is described as Open forest of <i>Eucalyptus marginata</i> subsp. <i>marginata</i>-<i>Corymbia calophylla</i> on lateritic uplands in mainly humid and subhumid zones. (Mattiske and Havel, 1998). <p>The mapped vegetation type retains approximately 87 per cent of the original extent (Government of Western Australia, 2019).</p>
Vegetation condition	<p>A site inspection undertaken by Department of Water (DoW) in 2016 for a previous clearing permit application (CPS 7169/1) indicates vegetation within the application area was in Excellent (Keighery, 1994) condition in 2016, described as:</p> <ul style="list-style-type: none"> Vegetation structure intact, with disturbance affecting individual species; weeds are non-aggressive species. <p>However, noting that clearing has been undertaken within the application area since this date, and assessing from aerial imagery, vegetation within the application area is currently likely to be in Good or Very Good (Keighery, 1994) condition, described as:</p> <ul style="list-style-type: none"> Very good - Vegetation structure altered, with obvious signs of disturbance. For example, disturbance to vegetation structure caused by repeated fires, the presence of some more aggressive weeds, dieback, logging and/or grazing. Good - Vegetation structure significantly altered by very obvious signs of multiple disturbances. Retains basic vegetation structure or ability to regenerate it. For example, disturbance to vegetation structure caused by very frequent fires, the presence of some very aggressive weeds at high density, partial clearing, dieback and/or grazing. <p>The full Keighery (1994) condition rating scale is provided in Appendix C.</p>
Climate and landform	<p>Rainfall: 900 mm</p> <p>Evapotranspiration: 700 mm</p> <p>Topography: Elevation within the application area falls from 250 m AHD in the northeast corner to 245 m AHD in the southwest corner.</p>
Soil description	<p>The soil is mapped as Dwellingup ironstone gravel divides Phase (255DpDWi), described as the soil parent material is laterite, soils are gravels with some sands.</p>

Characteristic	Details
Land degradation risk	<p>Wind erosion: H2: >70% of the map unit has a high to extreme hazard</p> <p>Water erosion: L1: <3% of the map unit has a very high to extreme hazard</p> <p>Salinity L1: <3% of the map unit has a moderate or high hazard or is presently saline</p> <p>Subsurface Acidification : H2: >70% of the map unit has a high susceptibility</p> <p>Flood risk: L1: <3% of the map unit has a moderate to high hazard</p> <p>Water logging: L1: <3% of the map unit has a moderate to very high to risk</p> <p>Phosphorus export risk: M1: 10-30% of the map unit has a high to extreme hazard</p>
Waterbodies	No mapped wetlands or watercourses intersect the application area. The closest mapped watercourse to the application area is a non-perennial watercourse within the Collie River catchment approximately 800 m southwest. The Collie River itself is approximately 1.3 km to the northeast.
Hydrogeography	<p>Hydrogeology: Rocks of Low Permeability, Fractured and Weathered Rocks - Local Aquifers (granitoid lithology)</p> <p>Groundwater salinity: <500 mm</p> <p>The application area is in Zone A of the Wellington Dam Catchment Area proclaimed under the <i>Country Areas Water Supply Act 1954</i> (refer to Section 3.3 for further information).</p>
Flora	There are records of 1 threatened and 12 priority flora species within the local area, the closest of which to the application area is Priority 3 species <i>Calytrix pulchella</i> approximately 5.4 km to the southeast. None of these species are mapped within the same mapped soil type or vegetation type as the application area.
Ecological communities	There are no threatened or priority ecological communities mapped within the local area.
Fauna	There are records of 11 threatened, 7 priority, one conservation dependent, and one other specially protected fauna species within the local area, the closest of which to the application area is threatened species <i>Calyptorhynchus banksii naso</i> (forest red-tailed black cockatoo) approximately 800 m to the northwest. It is considered for the application area to contain suitable foraging habitat for this species.

A.2. Vegetation extent

	Pre-European extent (ha)	Current extent (ha)	Extent remaining (%)	Current extent in all DBCA managed land (ha)	Current proportion (%) of pre-European extent in all DBCA managed land
IBRA bioregion*					
Jarrah Forest	4,506,660.25	2,399,838.15	53.25	1,673,614.25	37.14
Vegetation complex					
Mattiske vegetation complex 78**	208,490.90	181,038.81	86.83	171,561.01	82.29

*Government of Western Australia (2019a)

**Government of Western Australia (2019b)

Appendix B. Assessment against the clearing principles

Assessment against the clearing principles	Variance level	Is further consideration required?
Environmental value: biological values		
<p><u>Principle (a):</u> <i>"Native vegetation should not be cleared if it comprises a high level of biodiversity."</i></p> <p><u>Assessment:</u> The area proposed to be cleared is not likely to contain significant flora or assemblages of plants, but is likely to contain significant habitat for black cockatoo species and possibly other conservation significant fauna. In the absence of fauna surveys and more detailed information regarding the vegetation present, it is considered that the application area may contain significant habitat for fauna species.</p>	May be at variance	No
<p><u>Principle (b):</u> <i>"Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna."</i></p> <p><u>Assessment:</u> The area proposed to be cleared contains 1.7 hectares of marri and jarrah forest, which comprises significant foraging habitat for black cockatoo species, is likely to contain roosting habitat for black cockatoo species and has the potential to contain breeding habitat for black cockatoo species. The application area is also likely to contain suitable habitat for other conservation significant fauna such as western ringtail possum, chuditch and quokka. In the absence of fauna surveys and more detailed information regarding the vegetation present, it is considered that the application area may contain significant habitat for fauna species.</p>	At variance	No
<p><u>Principle (c):</u> <i>"Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."</i></p> <p><u>Assessment:</u> The area proposed to be cleared is unlikely to contain flora species listed under the BC Act.</p>	Not likely to be at variance	No
<p><u>Principle (d):</u> <i>"Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a threatened ecological community."</i></p> <p><u>Assessment:</u> The area proposed to be cleared is unlikely to contain species indicative of a threatened ecological community.</p>	Not likely to be at variance	No
Environmental value: significant remnant vegetation and conservation areas		
<p><u>Principle (e):</u> <i>"Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared."</i></p> <p><u>Assessment:</u> The extents of the mapped vegetation type and native vegetation in the local area are consistent with the national objectives and targets for biodiversity conservation in Australia. The vegetation proposed to be cleared is not considered to be an integral part of a significant ecological linkage in the local area.</p>	Not likely to be at variance	No
<p><u>Principle (h):</u> <i>"Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area."</i></p> <p><u>Assessment:</u> Given the distance to the nearest conservation area, the proposed clearing is not likely to have an impact on the environmental values of nearby conservation areas.</p>	Not likely to be at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
Environmental value: land and water resources		
<p><u>Principle (f):</u> <i>"Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland."</i></p> <p><u>Assessment:</u> No wetlands or water courses are mapped within the application area.</p>	Not likely to be at variance	No
<p><u>Principle (g):</u> <i>"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation."</i></p> <p><u>Assessment:</u> The mapped soils are highly susceptible to wind erosion and subsurface acidification and moderately susceptible to phosphorus export. Noting the extent of the application area, the proposed clearing may have an appreciable impact on land degradation resulting from wind erosion.</p>	May be at variance	No
<p><u>Principle (i):</u> <i>"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water."</i></p> <p><u>Assessment:</u> Given the distance to closest waterbodies and Public Drinking Water Sources Areas and the extent of the clearing, the proposed clearing is unlikely to impact surface or ground water quality.</p>	Not likely to be at variance	No
<p><u>Principle (j):</u> <i>"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding."</i></p> <p><u>Assessment:</u> Noting the mapped soil type and topographic contours within the application area, the extent of the clearing and the distance to the closest waterbodies, the proposed clearing is not likely to contribute to increased incidence or intensity of flooding or waterlogging.</p>	Not likely to be at variance	No

Appendix C. Vegetation condition rating scale

Vegetation condition is a rating given to a defined area of vegetation to categorise and rank disturbance related to human activities. The rating refers to the degree of change in the vegetation structure, density and species present in relation to undisturbed vegetation of the same type. The degree of disturbance impacts upon the vegetation's ability to regenerate. Disturbance at a site can be a cumulative effect from a number of interacting disturbance types. Considering its location, the scale below was used to measure the condition of the vegetation proposed to be cleared. This scale has been extracted from Keighery (1994).

Measuring vegetation condition for the South West and Interzone Botanical Province (Keighery, 1994)

Condition	Description
Pristine	Pristine or nearly so, no obvious signs of disturbance.
Excellent	Vegetation structure intact, with disturbance affecting individual species; weeds are non-aggressive species.
Very good	Vegetation structure altered, with obvious signs of disturbance. For example, disturbance to vegetation structure caused by repeated fires, the presence of some more aggressive weeds, dieback, logging and/or grazing.
Good	Vegetation structure significantly altered by very obvious signs of multiple disturbances. Retains basic vegetation structure or ability to regenerate it. For example, disturbance to vegetation structure caused by very frequent fires, the presence of some very aggressive weeds at high density, partial clearing, dieback and/or grazing.

Condition	Description
Degraded	Basic vegetation structure severely impacted by disturbance. Scope for regeneration but not to a state approaching good condition without intensive management. For example, disturbance to vegetation structure caused by very frequent fires, the presence of very aggressive weeds, partial clearing, dieback and/or grazing.
Completely degraded	The structure of the vegetation is no longer intact and the area is completely or almost completely without native species. These areas are often described as 'parkland cleared' with the flora comprising weed or crop species with isolated native trees or shrubs.

Appendix D. Sources of information

D.1. GIS databases

Publicly available GIS Databases used (sourced from www.data.wa.gov.au):

- 10 Metre Contours (DPIRD-073)
- Aboriginal Heritage Places (DPLH-001)
- Aboriginal Heritage Places (DPLH-001)
- Cadastre (LGATE-218)
- Cadastre Address (LGATE-002)
- Contours (DPIRD-073)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Directory of Important Wetlands in Australia – Western Australia (DBCA-045)
- Environmentally Sensitive Areas (DWER-046)
- Flood Risk (DPIRD-007)
- Groundwater Salinity Statewide (DWER-026)
- Hydrography – Inland Waters – Waterlines
- Hydrological Zones of Western Australia (DPIRD-069)
- IBRA Vegetation Statistics
- Imagery
- Local Planning Scheme – Zones and Reserves (DPLH-071)
- Native Title (ILUA) (LGATE-067)
- Offsets Register – Offsets (DWER-078)
- Pre-European Vegetation Statistics
- Public Drinking Water Source Areas (DWER-033)
- Ramsar Sites (DBCA-010)
- Regional Parks (DBCA-026)
- Remnant Vegetation, All Areas
- RIWI Act, Groundwater Areas (DWER-034)
- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)
- Soil Landscape Land Quality – Flood Risk (DPIRD-007)
- Soil Landscape Land Quality – Phosphorus Export Risk (DPIRD-010)
- Soil Landscape Land Quality – Subsurface Acidification Risk (DPIRD-011)
- Soil Landscape Land Quality – Water Erosion Risk (DPIRD-013)
- Soil Landscape Land Quality – Water Repellence Risk (DPIRD-014)
- Soil Landscape Land Quality – Waterlogging Risk (DPIRD-015)
- Soil Landscape Land Quality – Wind Erosion Risk (DPIRD-016)
- Soil Landscape Mapping – Best Available
- Soil Landscape Mapping – Systems
- Wheatbelt Wetlands Stage 1 (DBCA-021)

Restricted GIS Databases used:

- ICMS (Incident Complaints Management System) – Points and Polygons
- Threatened Flora (TPFL)
- Threatened Flora (WAHerb)

- Threatened Fauna
- Threatened Ecological Communities and Priority Ecological Communities
- Threatened Ecological Communities and Priority Ecological Communities (Buffers)

D.2. References

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- 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.