



1. Application details

1.1. Permit application details

Permit application No.: 937/1
 Permit type: Area Permit

1.2. Proponent details

Proponent's name: Mr Neville John Parker

1.3. Property details

Property: LOT 3 ON PLAN 16255 (ORCHID VALLEY 6394)
 LOT 8008 ON PLAN 203072 (ORCHID VALLEY 6394)
 Local Government Area: Shire Of Kojonup
 Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
	400	Mechanical Removal	Cropping

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Beard Vegetation Association 3 - Medium forest; jarrah-marri (Hopkins et al. 2001; Shepherd et al. 2001).	The proposal includes clearing of 400 dead paddock trees (DoW 2007).	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	Observed during site visit: the majority of the vegetation to be cleared is within open paddocks with no native understorey.
Beard Vegetation Association 4 - Medium woodland; jarrah-marri (Hopkins et al. 2001; Shepherd et al. 2001).	The vegetation under application consists of dead Eucalyptus marginata, Corymbia calophylla, and Eucalyptus wandoo (DEC Site visit 2006).		Vegetation condition established through site visit 31/07/2006.

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments **Proposal is not likely to be at variance to this Principle**
 The area proposed to be cleared is Degraded (Keighery 1994) consisting of dead paddock trees and no native under storey species (DoW 2007). DEC Site visit (2006) confirmed only 3 tree species exist within the areas proposed to be cleared. The vegetation under application is not considered to hold a high level of biological diversity due to the lack of species and disturbed vegetation structure.

The notified area is located within the EPA Position Statement No.2 agricultural zone, however this statement does not refer to or include dead vegetation, therefore the Department will not consider this statement in the assessment.

Biodiversity Coordination Section, DEC (2006) advise that "the vegetation that is proposed to be cleared is not expected to represent high biological diversity" due to the area consisting predominantly of individual trees dispersed over open paddocks.

Therefore, it is unlikely this proposal will be at variance to this Principle.

Methodology DoW (2007);
 DEC site visit (2006);
 Biodiversity Coordination Section, DEC (2006);
 Keighery (1994);
 GIS database:
 - EPA Position Paper No 2 Agricultural Region - DEP 12/00;

(b) 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 indigenous to Western Australia.

Comments Proposal is not likely to be at variance to this Principle

The area proposed to be cleared consists of many dead but standing and dead fallen paddock trees with no native under storey species (DoW 2007). There is approximately 245ha of remnant bush remaining on the properties owned by the applicant.

Biodiversity Coordination Section, DEC (2006) advise that "the areas proposed for clearing are believed to be devoid of under storey vegetation, and are therefore unlikely to provide suitable habitat for those fauna species listed, and many terrestrial taxa known to occur in the area" and "there are several relatively large areas of remnant vegetation present within the local area that are likely to offer comparably better habitat for a range of fauna species."

Methodology DoW (2007);
Biodiversity Coordination Section, DEC (2006);
DEC site visit (2006);
GIS database:
- Pemberton 1.4m Orthomosaic - DOLA 99

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.

Comments Proposal is not likely to be at variance to this Principle

Three Declared Rare Flora (DRF) populations and two Priority 4 populations have been recorded within the local area (10km radius) of the proposed clearing. The closest, *Caladenia dorrienii* (DRF), is located 2.7km north of the area proposed to be cleared.

The area under application is Degraded (Keighery 1994) consisting only of paddock trees with no native under storey.

"In their current state, the areas that are proposed to be cleared are not expected to exhibit discernable evidence of Declared Rare Flora or Priority Flora, due to the absence of under storey vegetation" (Biodiversity Coordination Section, DEC 2006).

Given the above information the area under application is unlikely to contain or impact on the existence of rare flora within the local area.

Methodology Biodiversity Coordination Section, DEC (2006);
DEC site visit (2006);
Keighery (1994);
GIS databases:
- Declared Rare and Priority Flora List - CALM 13/08/03
- Pemberton 1.4m Orthomosaic - DOLA 99

(d) 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.

Comments Proposal is not likely to be at variance to this Principle

Biodiversity Coordination Section, DEC (2006) states "the application area encompasses open paddocks with scattered Marri trees. There is no evidence to suggest that the TEC 'Yate Dominated Claypans' will occur within the application area, or that the documented nearby occurrence of this TEC will be impacted if the proposed clearing is carried out".

Therefore, it is unlikely the proposal is at variance with this Principle.

Methodology Biodiversity Coordination Section, DEC (2006);
GIS databases:
- Threatened Ecological Communities - CALM 15/7/03
- Threatened Plant Communities - DEP 06/95

(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.

Comments Proposal is not likely to be at variance to this Principle

The application is located in the Jarrah Forest Bioregion in the Shire of Kojonup. The extent of native vegetation in these areas is 58.3% and 15.2% respectively (Shepherd et al. 2001).

The vegetation of the area applied to clear is a component of Beard Unit 3 (Hopkins et al. 2001) of which there is 72.1% (Shepherd et al. 2001) of the pre-European extent remaining, and therefore of 'least concern' status for biodiversity conservation (Department of Natural Resources and Environment 2002).

The vegetation of the area applied to clear is a component of Beard Unit 4 (Hopkins et al. 2001) of which there is 23.5% (Shepherd et al. 2001) of the pre-European extent remaining, and therefore of 'vulnerable' status for biodiversity conservation (Department of Natural Resources and Environment 2002).

The applicant has deliberately retained large tracts of native vegetation on his property, including fencing off the local watercourse through the property; therefore it is considered unlikely the removal of scattered dead paddock trees with little to no biodiversity value, will not impact upon the ecological values of native vegetation complexes below the 30% threshold.

Therefore, the proposal is not likely to be at variance to this Principle.

Methodology DEC Site Visit (2006);
Department of Natural Resources and Environment (2002);
EPA (2000);
Hopkins et al. (2001);
Shepherd et al. (2001);
GIS databases:
- Interim Biogeographic Regionalisation of Australia - EM 18/10/00
- Local Government Authorities - DLI 8/07/04
- Pre European Vegetation - DA 01/01

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Comments Proposal is not at variance to this Principle

There are no EPP Areas, EPP Lakes, RAMSAR wetlands, ANCA wetlands or Geomorphic wetlands within the local area (10km radius) of the proposed clearing.

The Tone River is located 3.9km east of the area proposed to be cleared and there are several minor non perennial watercourses within the properties under application, but not directly within the areas to be cleared.

The clearing of scattered dead trees is unlikely to impact on local watercourses or wetlands as dead trees no longer have water use functions.

Methodology GIS databases:
- ANCA, Wetlands - CALM 08/01
- EPP Areas - DEP 06/95
- EPP Lakes - DEP 28/07/03
- Geomorphic Wetlands, Augusta to Walpole - DoE 18/6/03
- Hydrography Linear - DoE 1/2/04
- RAMSAR, Wetlands - CALM 21/10/02
- Pemberton 1.4m Orthomosaic - DOLA 99

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Comments Proposal is not likely to be at variance to this Principle

The area proposed to be cleared has a ground water salinity level of 7000-14000 mg/L, a low salinity risk and no known Acid Sulphate Soils risk.

Although the area under application is within Zone A of a Country Areas Water Supply (CAWS) area, the Country Areas Water Supply Act 1947 only deals with the clearing of live native trees. As the proposed clearing is for 400 dead trees, the CAWS Act does not need to be considered.

DAFWA advise that 'the removal of single and small groups of trees from the areas proposed is not expected to have a significant effect on salinity occurring'.

The proposed clearing is for 400 scattered dead paddock trees. Dead trees no longer have water use functions, therefore, the proposed clearing is unlikely to impact on salinity levels.

Due to the nature and scale of the proposed clearing, land degradation issues are unlikely to occur.

Methodology DAFWA report (2006)
GIS databases:

- Acid Sulfate Soil Risk Map, SCP - DoE 01/02/04
- Salinity Risk LM 25m - DOLA 00.
- Groundwater Salinity, Statewide - 22/02/00
- CAWSA Part2A clearing control catchment - DoE 17/11/05

(h) 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.

Comments Proposal is not likely to be at variance to this Principle

The Mettabinup Nature Reserve is located 1.3km north of the area proposed to be cleared and the Minninup Nature Reserve is located 7.5km south of the area proposed to be cleared. There are no vegetation links between the area under application and local Nature Reserves.

Biodiversity Coordination Section, DEC (2006) states "the clearing of individual trees within the proposed areas is unlikely to significantly impact upon nearby conservation areas". Therefore the proposed clearing is unlikely to be at variance to this Principle.

Methodology Biodiversity Coordination Section, DEC (2006);

GIS database:

- CALM Managed Lands and Waters - CALM 1/06/04
- Register of National Estate - EA 28/01/03
- Pemberton 1.4m Orthomosaic - DOLA 99

(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.

Comments Proposal is not likely to be at variance to this Principle

The area proposed to be cleared is within the Warren River Hydrographic Catchment area, which is a Public Drinking Water Source Area, the Warren River Water Reserve, and is also within a Zone A CAWS Catchment Area.

Although the area under application is within Zone A of a Country Areas Water Supply (CAWS) area, the Country Areas Water Supply Act 1947 only deals with the clearing of live native trees. As the proposed clearing is for 400 dead trees, the CAWS Act does not need to be considered.

Dead trees no longer have water use functions, and the proposed clearing of dead trees will not impact on salinity levels.

Methodology GIS databases:

- CAWSA Part2A clearing control catchment - DoE 17/11/05
- Hydrographic Catchments, Catchments - DoE 3/4/03
- Public Drinking Water Source Areas (PDWSAs) - DOE 29/11/04
- RIWI Act Ground water Areas - WRC 13/06/00
- RIWI Act Surface water Areas - WRC 18/10/02

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.

Comments Proposal is not likely to be at variance to this Principle

DAFWA advise that 'the removal of single and small groups of trees is not expected to contribute to flooding'.

Therefore the proposed clearing is unlikely to exacerbate flooding due to the area proposed to be cleared.

Methodology DAFWA report (2006) TRIM ref IN25668

GIS databases:

- Topographic Contours, Statewide - DOLA 12/09/02

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

The area is zoned rural in the Town Planning Scheme.

Although the area under application is within Zone A of a Country Areas Water Supply (CAWS) area, the Country Areas Water Supply Act 1947 only deals with the clearing of live native trees. As the proposed clearing is for 400 dead trees, the CAWS Act does not need to be considered.

The proposal involves clearing for agricultural purposes within an area encompassed by EPA Position Statement No.2: Environmental Protection of Native Vegetation in Western Australia (2000), however as dead vegetation is not covered by this statement, the Department has not considered this statement in the assessment of this proposal. In addition, the applicant has deliberately retained several large areas of remnants

Methodology on the property and fenced off the local watercourse.
 GIS database:
 - Town Planning Scheme Zones - MFP 8/98
 - CAWSA Part2A clearing control catchment - DoE 17/11/05

4. Assessor's comments

Purpose	Method Applied	Comment
Cropping	Mechanical Removal	Assessable criteria have been addressed and no objections were raised. The assessing officer therefore recommends that the permit be granted with nil conditions.

5. References

Biodiversity Coordination Section (2006), Advice to Director General, Department of Environment and Conservation (DEC), Western Australia. TRIM ref DOC5487.
 DAFWA Land degradation assessment report. Office of the Commissioner of Soil and Land Conservation, Department of Agriculture and Food Western Australia. DoE TRIM ref IN25668.
 DEC Site visit (2006). Department of Environment and Conservation, Bunbury.
 Department of Natural Resources and Environment (2002) Biodiversity Action Planning. Action planning for native biodiversity at multiple scales; catchment bioregional, landscape, local. Department of Natural Resources and Environment, Victoria.
 DoW (2007). Memo (CPS1019) - N Parker re: dead paddock trees. Department of Water, Bunbury. TRIM Ref: DOC14636
 EPA (2000) Environmental protection of native vegetation in Western Australia. Clearing of native vegetation, with particular reference to the agricultural area. Position Statement No. 2. December 2000. Environmental Protection Authority.
 Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.
 Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
 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.
 WRC (1996) Policy and Guidelines: Granting of Licences to Clear Indigenous Vegetation in Catchments Subject to Clearing Control Legislation. Water and Rivers Commission, Western Australia.

6. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment
DoIR	Department of Industry and Resources
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DEC)