



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 6894/2
File Number: DER2015/002971-1
Duration of Permit: From 11 June 2016 to 11 June 2026

PERMIT HOLDER

Joy Irene Muir
Valerie May Siegmund
Kenneth John Moore

LAND ON WHICH CLEARING IS TO BE DONE

Lot 9990 on Deposited Plan 203138, Boorara Brook
Lot 9991 on Deposited Plan 203138, Boorara Brook

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 73.7 hectares of native vegetation within the combined areas hatched yellow and hatched red on attached Plan 6894/2a and Plan 6894/2b.

CONDITIONS

1. Purpose for which clearing may be done

- (a) Clearing for the purposes of silvicultural thinning and fire salvage within the areas hatched yellow on attached Plan 6894/2a (60.5 hectares).
- (b) Clearing for the purpose of *Agonis flexuosa* removal within the area hatched red on attached Plan 6894/2a (3.4 hectares).
- (c) Clearing for the purpose of fire damaged Karri (*Eucalyptus diversicolor*) removal within the areas hatched yellow on attached Plan 6894/2b (9.8 hectares).

2. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 11 June 2022.

3. 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.

4. Dieback and weed control

When undertaking any clearing 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;
- (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. Type of clearing authorised - thinning and fire salvage

The Permit Holder may only undertake the following clearing activities within the areas hatched yellow on attached Plan 6894/2a:

- (a) *thinning* of Jarrah (*Eucalyptus marginata*), Marri (*Corymbia calophylla*) and Karri (*Eucalyptus diversicolor*) trees;
- (b) *culling* and burning of unsaleable trees;
- (c) clearing for the establishment of *log landings* no larger than 0.1 hectares in size; and
- (d) clearing and burning of *understorey* where undertaken in association with the activities described under conditions 5(a), (b) or (c).

6. Type of clearing authorised - *Agonis flexuosa* removal

The Permit Holder may only undertake the following clearing activities within the area hatched red on attached Plan 6894/2a:

- (a) removal of *Agonis flexuosa* trees; and
- (b) clearing and burning of *understorey* where undertaken in association with the activities described under condition 6(a).

7. Type of clearing authorised - Karri removal

The Permit Holder may only undertake the following clearing activities within the areas hatched yellow on attached Plan 6894/2b:

- (a) removal of fire damaged Karri (*Eucalyptus diversicolor*) trees;
- (b) clearing for the establishment of *log landings* no larger than 0.1 hectares in size; and
- (c) clearing and burning of *understorey* where undertaken in association with the activities described under conditions 7(a) or (b).

8. Vegetation management - watercourse

The Permit Holder shall not clear native vegetation within 30 metres of the *riparian vegetation* of any *watercourse* or *wetland*.

9. Vegetation management - thinning and fire salvage

In relation to the areas hatched yellow on attached Plan 6894/2a, the Permit Holder must:

- (a) retain a minimum of 2 *habitat trees* per hectare;
- (b) retain a minimum of 14-16m² per hectare *basal area*;
- (c) by no later than 11 July 2022, rehabilitate any *log landings* established by scarifying the soil surface to reduce compaction and facilitate natural regeneration; and
- (d) within two years of 11 July 2022, engage an *environmental specialist* to determine the species composition, structure and density of the *understorey*.

10. Vegetation management - Karri removal

In relation to the areas hatched yellow on attached Plan 6894/2b, the Permit Holder must:

- (a) by no later than 11 July 2022, rehabilitate any *log landings* established by scarifying the soil surface to reduce compaction and facilitate natural regeneration; and
- (b) within two years of 11 July 2022, engage an *environmental specialist* to determine the species composition, structure and density of the *understorey*.

11. Exclusion of stock

Within three months of commencing clearing authorised under this Permit, the Permit Holder shall fence the combined areas hatched yellow on attached Plan 6894/2a and Plan 6894/2b and ensure the exclusion of *stock* for the duration of the Permit.

12. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
 - (i) 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;
 - (ii) the date that the area was cleared;
 - (iii) the size of the area cleared (in hectares);

- (iv) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 3 of this Permit;
 - (v) actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 4 of this Permit; and
 - (vi) actions taken to avoid clearing native vegetation within 30 metres of the *riparian vegetation* of any *watercourse* or *wetland*.
- (b) In relation to vegetation management pursuant to condition 9 of this Permit:
- (i) the species and number per hectare of *habitat trees* retained;
 - (ii) the location of *habitat trees* retained, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings; and
 - (iii) monitoring undertaken to ensure that the specified minimum *basal area* is retained.
- (c) In relation to vegetation management pursuant to conditions 9 and 10 of this Permit:
- (i) the number of *log landings* 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;
 - (ii) the date(s) the *log landings* were rehabilitated;
 - (iii) the *environmental specialist's* report documenting the species composition, structure and density of the *understorey*; and
 - (iv) photographs of the *understorey* taken at one year, two years and three years after completing clearing authorised under this Permit.
- (d) In relation to the exclusion of stock pursuant to condition 11 of this Permit:
- (i) the date that the fence was constructed.

13. 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 12 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 11 March 2026, the Permit Holder must provide to the CEO a written report of records required under condition 11 of this Permit where these records have not already been provided under condition 13(a) of this Permit.

DEFINITIONS

The following meanings are given to terms used in this Permit:

basal area is the method of expression of tree cover density in an area where the total area of tree trunk, whose diameter is measured at 1.5 metres above the ground, is expressed as square metres per hectares of land area;

culled/ing means the selective removal and/or killing of unsaleable trees for *thinning*, using methods including notching, felling or machine pushing;

dieback means the effect of *Phytophthora* 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 a person who holds a tertiary qualification in environmental science or equivalent, and has 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;

fill means material used to increase the ground level, or fill a hollow;

habitat tree(s) means trees that have a diameter, measured at 1.5 metres from the base of the tree, of 50 centimetres or greater, that contains or has the potential to develop hollows or roosts suitable for native fauna;

log landing/s 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;

riparian vegetation has the meaning given to it in Regulation 3 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*;

stock means the horses, cattle, sheep, pigs and other non-indigenous grazing animals kept or bred on a property;

thinned/ing describes a silvicultural activity to promote the growth of selected trees by removing competing trees;

understorey means, for the purpose of this Permit, all native vegetation that does not include trees to be *culled* or subject to harvest;

watercourse has the meaning given to it in section 3 of the *Rights in Water and Irrigation Act 1914*;

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 species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

wetland/s 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.

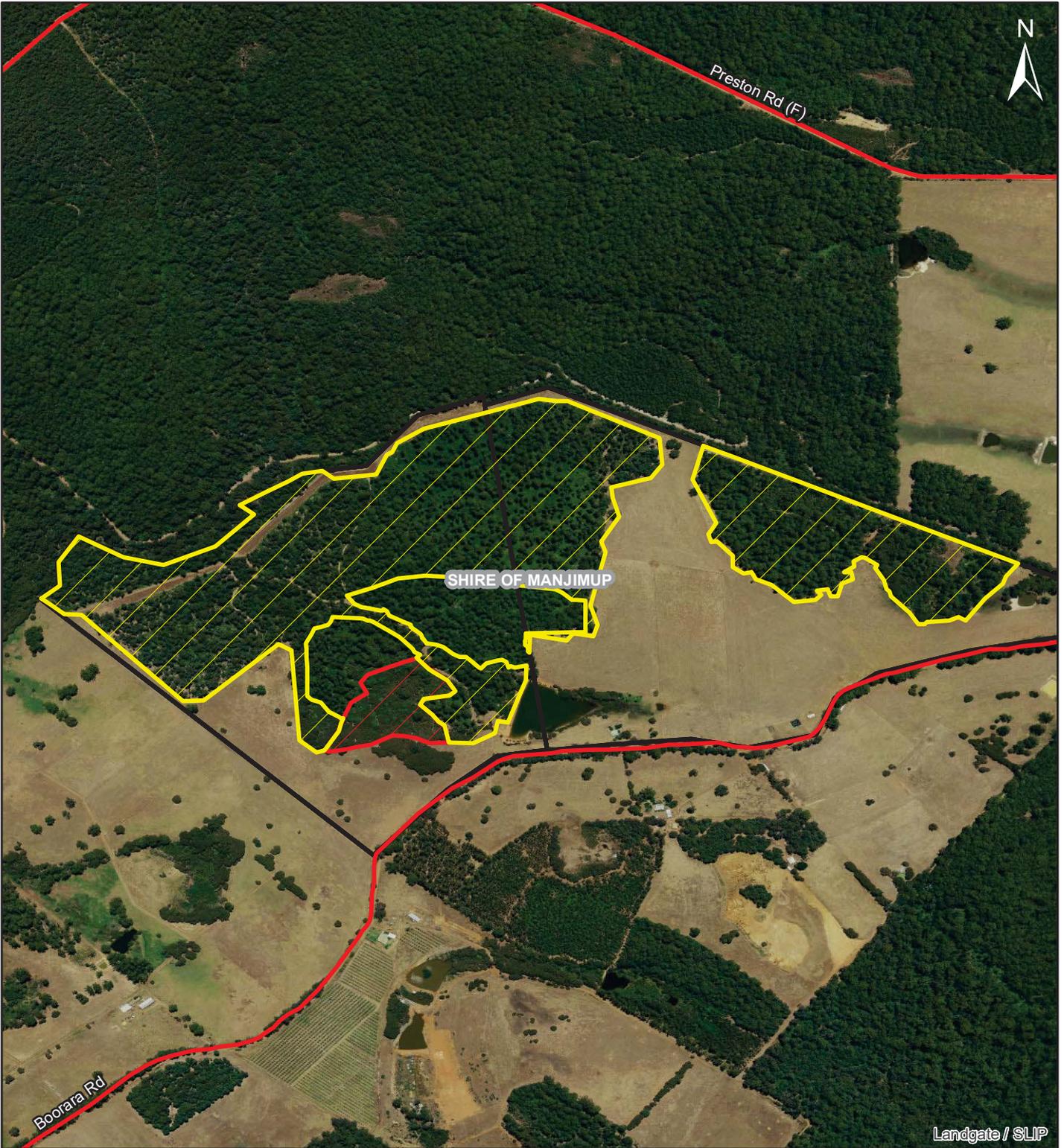


Samara Rogers
MANAGER
NATIVE VEGETATION REGULATION

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

9 October 2018

Plan 6894/2a



Legend

-  Roads
-  Areas approved to clear
-  Areas approved to clear
-  Cadastre, Land Tenure
-  Local Government Authorities

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-  Red: Band_1
-  Green: Band_2
-  Blue: Band_3

Samara Rogers

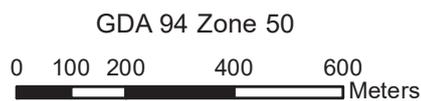
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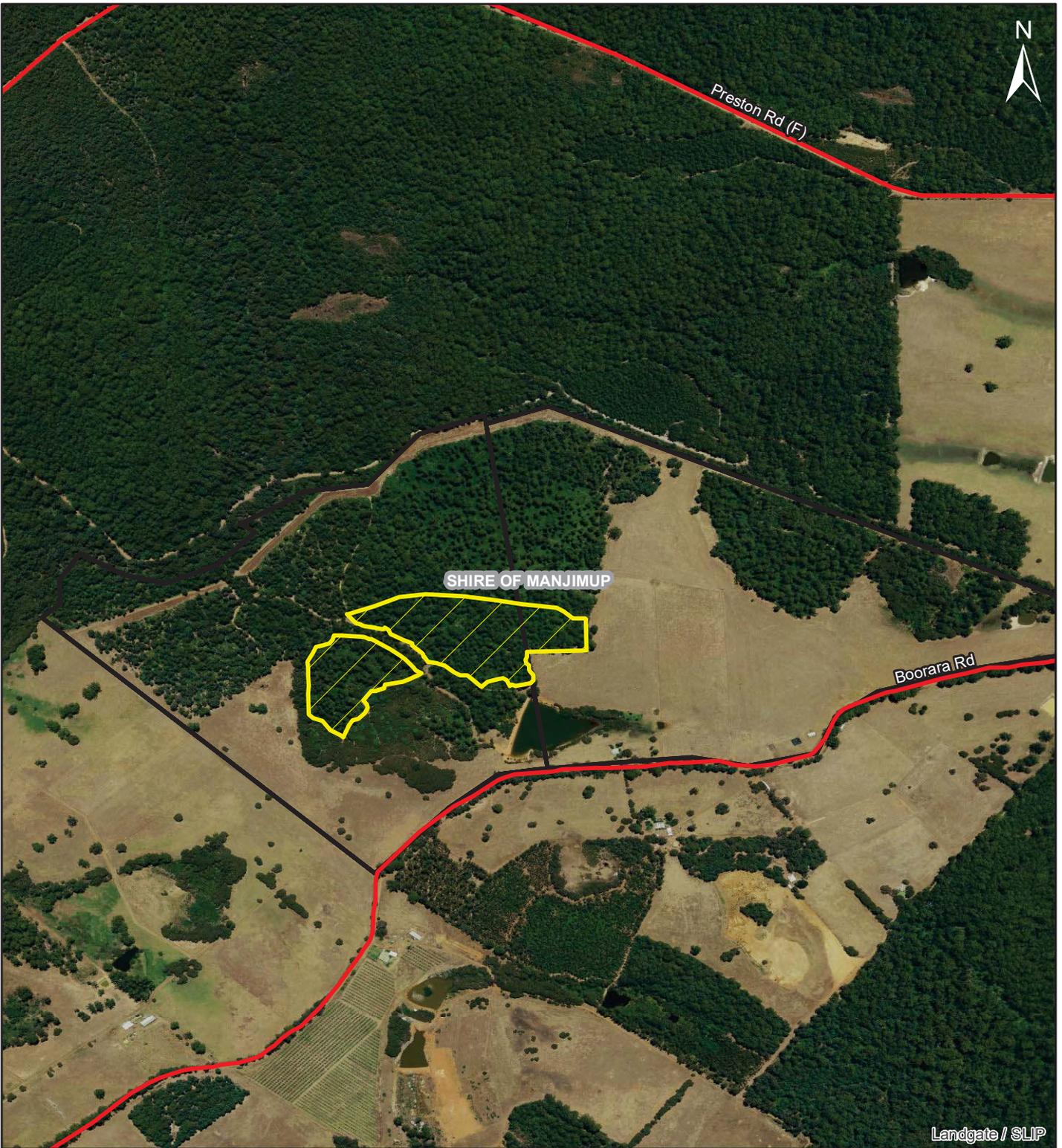


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WESTERN AUSTRALIA**
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Plan 6894/2b



Legend

-  Roads
-  Areas approved to clear
-  Cadastre, Land Tenure
-  Local Government Authorities

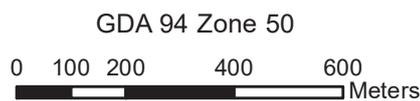
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Officer with delegated authority under section 20 of the Environmental Protection Act 1986



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1. Application details

1.1. Permit application details

Permit application No.: 6894/2
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Joy Irene Muir
Valerie May Siegmund
Kenneth John Moore
Application received date: 03 October 2017

1.3. Property details

Property: LOT 9990 ON PLAN 203138, BOORARA BROOK
LOT 9991 ON PLAN 203138, BOORARA BROOK
Local Government Authority: MANJIMUP, SHIRE OF
Localities: BOORARA BROOK

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
9.8		Mechanical Removal	Restoration
3.4		Mechanical Removal	Miscellaneous
60.5		Mechanical Removal	Timber harvesting

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 09 October 2018
Reasons for Decision:

The application to amend CPS 6894/1 is for a greater extent of thinning within a 9.8 hectare portion of the permit area. The 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). The assessment against the clearing principles remains the same as that for CPS 6894/1 being may be at variance to principle (h), and not likely at variance to the remaining principles.

It is considered that the proposed additional thinning is unlikely to result in a substantial change to the impacts already assessed under CPS 6894/1. Therefore the Delegated Officer has decided to grant the application to amend subject to a number of changes to the permit conditions.

Conditions 1(c), 7 and 10 have been added to the permit to define the location, type and extent of additional thinning authorised. Condition 11 has also been amended to include a fencing requirement in accordance with conditions provided by the Commissioner of Soil and Land Conservation for authorising clearing within an area subject to an Agreement to Reserve.

2. Site Information

Clearing Description Clearing of 73.7 hectares of native vegetation within Lots 9990 and 9991 on Deposited Plan 203138, Boorara Brook, for the purpose of silvicultural thinning, fire salvage and *Agonis flexuosa* and fire damaged karri removal.

Vegetation Description Two Mattiske vegetation complexes are mapped over the application area:

- CRb – described as tall open forest of *Corymbia calophylla-Eucalyptus diversicolor* on upper slopes with *Allocasuarina decussata-Banksia grandis* on upper slopes in hyperhumid and perhumid zones; and
- Vh2 – described as tall open forest of *Eucalyptus diversicolor-Eucalyptus patens* on slopes with *Agonis flexuosa-Allocasuarina decussata -Callistachys lanceolata* on valley floors in hyperhumid and perhumid zones. (Mattiske and Havel 1998)

Vegetation Condition Very Good; Vegetation structure altered; obvious signs of disturbance (Keighery 1994).

To

Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994).

Comment The vegetation under application was burnt in a fire in February 2015.

3. Minimisation and mitigation measures

The application to amend is supported by an amended 'Native Forest Property Management Plan' (NFPMP) which can be found at <ftp://ftp.dwer.wa.gov.au/permit/6894/>. This management plan was supplied with the original application CPS 6894/1 and has been updated to include photos of the areas where additional thinning is proposed in Appendix 1. An example is provided at Figure 1.

The management objectives outlined in the NFPMP include "to remove fire damaged trees with little to no crown foliage to allow the karri forest to regenerate without impacting nature conservation values".



Figure 1. Photo of fire damaged karri.

4. Assessment of application against clearing principles

The application to amend CPS 6894/1 includes the following requests:

- amend condition 1(a) to change the purpose of the clearing from '...silvicultural thinning and fire salvage...' to '...removal of fire damaged *Eucalyptus diversicolor*...'; and
- amend condition 7(b) to require the retention of a minimum 14-16m² per hectare basal area 'where possible'.

On 29 November 2017, the applicant was advised that the requested change to condition 7(b) would have the effect of authorising the removal of all fire damaged karri within burnt areas, thereby potentially resulting in the removal of the entire overstorey. The applicant was therefore requested to provide further information regarding the extent of clearing proposed including the identification of specific areas requiring a greater extent of clearing than the retention of a minimum 14-16m² per hectare basal area.

On 13 February 2018, the applicant provided a map of the area where extra thinning was proposed (Figure 2). The area measures 9.8 hectares. Based on fire scar aerial imagery, this area aligns with the area most severely burnt (Figure 3).



Figure 2. Area where additional thinning is proposed.



Figure 3. Fire scar aerial image.

It is noted that the purpose of the proposed additional thinning is to facilitate natural regeneration. It is considered that removal of additional fire damaged karri, such as that shown in the photos supplied by the applicant, is unlikely to result in a substantial change to the impacts already assessed under CPS 6894/1. Therefore the assessment against the 10 clearing principles has not changed and can be found in the Decision Report for application CPS 6894/1.

Planning instruments and other relevant matters

An Agreement to Reserve (ATR) under section 30(b) of the *Soil and Land Conservation Act 1945* is registered on the certificates of title for the properties under application. The ATR requires 12.6 hectares of vegetation within Lot 9990 on Deposited Plan 203138 and 40.6 hectares of vegetation within Lot 9991 on Deposited Plan 203138, to be retained in perpetuity and managed in such a way as to retain and promote the growth of native vegetation (Figure 4).

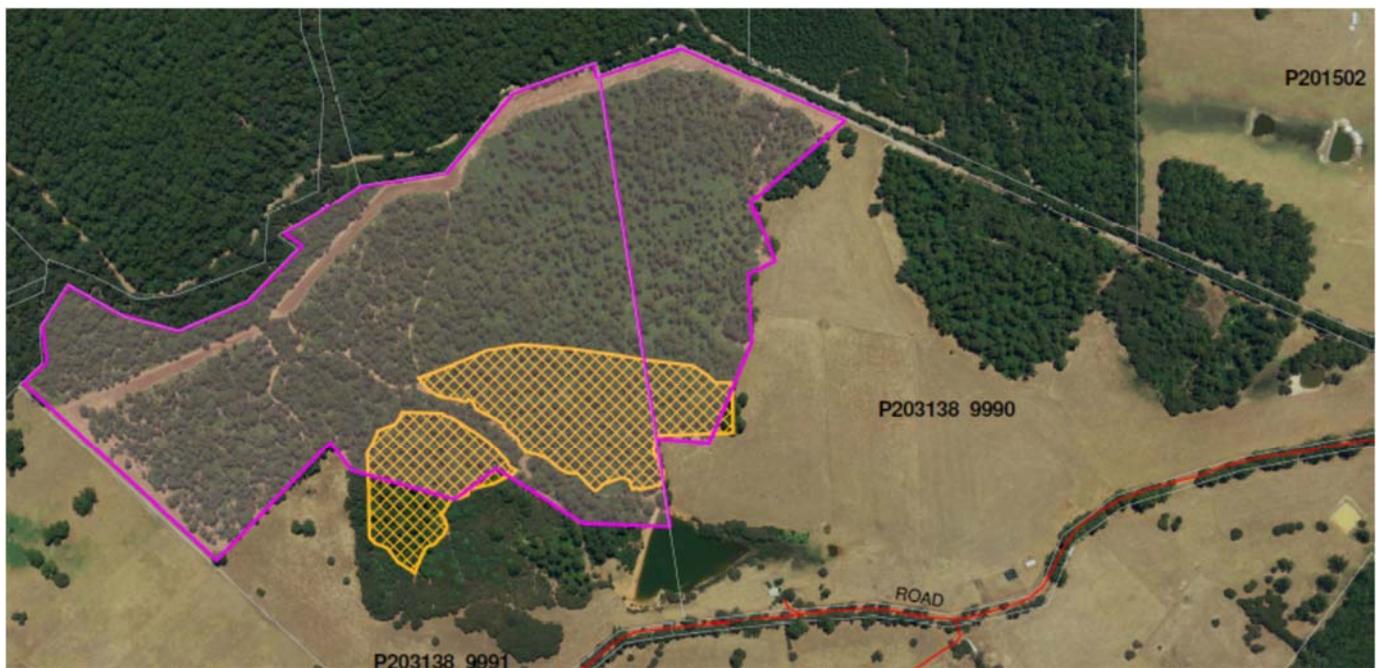


Figure 4. Area subject to Agreement to Reserve (pink) in relation to additional thinning area (orange)

Section 51D(2) of the EP Act stipulates that a clearing permit only authorises the clearing of land subject to an ATR where the permit was granted with the written approval of the person holding or acting in the office of the Commissioner of Soil and Land Conservation under the *Soil and Land Conservation Act 1945*. The Deputy Commissioner of Soil and Land Conservation approved the initial clearing proposed under CPS 6894/1 within the area subject to the ATR (DCSLC 2016). Noting the additional thinning proposed, on 1 March 2018, written approval of the proposed amendment was sought from the office of the Commissioner of Soil and Land Conservation.

On 23 March 2018, the Commissioner of Soil and Land Conservation advised:

“Having reviewed the management plan attached to the clearing application I advise that I have no objection to the silvicultural thinning/removal of fire damaged karri trees in accordance with the private forest management plan (2017) within the amended CPS area provided that on completion of the clearing, the area covered by the ATR be fenced to exclude all classes of livestock.” (CSLC, 2018)

Accordingly the amendment can be granted subject to a fencing condition.

The application to amend was advertised on the DWER website on 18 July 2018 with a 21 day submission period. No public submissions were received in relation to this application.

5. References

- Commissioner of Soil and Land Conservation (CSLC) (2018) Advice received in relation to Clearing Permit application CPS 6894/2. Advice received 23 March 2018. DWER Ref: A1640228.
- Deputy Commissioner of Soil and Land Conservation (DCSLC) (2016) Advice received in relation to Clearing Permit application CPS 6894/1. Advice received 21 April 2016. DWER Ref: A1086566.
- 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.