GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 10769/1

File Number: DWERVT16307

Duration of Permit: From 24 July 2025 to 24 July 2032

PERMIT HOLDER

Mr Garry Michael Kilrain

LAND ON WHICH CLEARING IS TO BE DONE

Lot 107 on Deposited Plan 21977, Yanmah

AUTHORISED ACTIVITY

The permit holder must not clear more than 16 native trees within the area cross-hatched yellow in Figure 1 of Schedule 1.

CONDITIONS

1. Period during which clearing is authorised

The permit holder must not clear any *native vegetation* after 24 July 2027.

2. 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.

3. 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; and

(c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

4. Revegetation

The permit holder must:

(a) within 12 months of the commencement of clearing authorised under this permit, and no later than 24 July 2026, undertake *revegetation* and *rehabilitation* within the area cross-hatched red in Figure 2 of Schedule 1 (Lot 107 on Deposited Plan 21977) by;

(i) undertaking *weed* control activities prior to *planting*;

(ii) ripping the ground on the contour prior to *planting* to remove soil compaction; and

(iii) undertaking the deliberate *planting* of at least 40 *Corymbia calophylla* (marri) within the area cross-hatched red in Figure 2 Schedule 1 in accordance with the following conditions:

i. ensure only *local provenance* propagating material of plants are used; and

ii. ensure *planting* is undertaken at the *optimal time*.

(b) undertake *weed* control activities and watering of *plantings* undertaken in accordance with condition 4(a)(iii) on an ‘as needed' basis to ensure success of *revegetation* and *rehabilitation*.

(c) within 24 months of *planting* the native plants in accordance with condition 4(a)(iii) of this permit;

(i) engage an *environmental specialist* to make a determination that at least 40 individuals of *Corymbia calophylla* (marri) will survive;

(ii) if the determination made the *environmental specialist* under condition 4(c)(i) that at least 40 *Corymbia calophylla* (marri) will not survive, the permit holder must *plant* additional native seedlings that will result in at least 40 *Corymbia calophylla* (marri) persisting, located within the area cross-hatched red in Figure 2 of Schedule 1.

(d) where additional planting of native seedlings is undertaken in accordance with condition 4(c)(ii), the permit holder must repeat the activities required by condition 4(a)(iii) and 4(b) of this permit

5. 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	(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 GDA2020, 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 accordance with condition 2; and (f) actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 3.
2.	In relation to *revegetation* pursuant to condition 4.	(g) the date *revegetation* and *rehabilitation* activities occurred; (h) the boundaries of the area(s) *revegetated* and *rehabilitated* (recorded digitally as a shapefile); (a) a description of the *revegetation* and *rehabilitation* actions taken under condition 4(a) and 4(b); (b) the *environmental specialist's* determination on survivability of the plantings pursuant to condition 4(c)(i); and (c) a description of any remedial actions undertaken pursuant to condition 4(c)(ii).

6. Reporting

The permit holder must provide to the *CEO* the records required under condition 5 of this permit when requested by the *CEO*.

DEFINITIONS

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

Table 2: Definitions

Term	Definition
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*.
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.
fill	means material used to increase the ground level, or to fill a depression.
dieback	means the effect of *Phytophthora* species on native vegetation.
department	means the department established under section 35 of the *Public Sector Management Act 1994* (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
EP Act	*Environmental Protection Act 1986* (WA)
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.
local provenance	means native vegetation seeds and propagating material from natural sources within 50 kilometres and the same IBRA subregion of the area cleared.
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 May to July for undertaking planting.
plant/planting	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species.
rehabilitate/ed/ion	means actively managing an area containing native vegetation in order to improve the ecological function of that area using methods such as natural regeneration, direct seeding and/or planting, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.
revegetate/revegetation	means the re-establishment of a cover of local provenance native vegetation in an area using methods such as natural regeneration, direct seeding and/or planting, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.
weeds	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 species-led ecological impact and invasiveness

Term	Definition
	ranking summary, regardless of ranking; or (c) not indigenous to the area concerned.

END OF CONDITIONS

C Robertson
11.40AM
30.06.2025

Caron Robertson
MANAGER
NATIVE VEGETATION REGULATION

Officer delegated under Section 20
of the Environmental Protection Act 1986

30 June 2025

SCHEDULE 1

The boundary of the area authorised to be cleared is shown in the map below (Figure 1).

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

Figure 2: Map of the boundary of the area within which revegetation conditions apply

Government of Western Australia
Department of Water and Environmental Regulation

Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 10769/1
Permit type:	Area permit
Applicant name:	Garry Michael Kilrain
Application received:	17 September 2024
Application area:	16 native trees
Purpose of clearing:	Dam construction
Method of clearing:	Mechanical
Property:	Lot 107 on Deposited Plan 21977
Location (LGA area/s):	Shire of Manjimup
Localities (suburb/s):	Yanmah

1.2. Description of clearing activities

The vegetation proposed to be cleared is contained within a single contiguous area (see Figure 1, Section 1.5), that include 13 *Corymbia calophylla* (marri) trees and 3 *Eucalyptus diversicolor* (karri) trees.

During the assessment process, the application area was revised in response to a Request for Further Information (RFI) letter issued to the applicant on 6 February 2025. As part of these revisions, the proposed clearing was significantly reduced from an initial total of 33 trees to 16 trees in order to avoid and minimise environmental impacts associated with vegetation removal (see Section 3.1 for further details).

1.3. Decision on application

Decision:	Granted
Decision date:	30 June 2025
Decision area:	16 native trees, 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 (department) advertised the application for 21 days and no submissions were received.

In making this decision, the Delegated Officer had regard for the:

- site characteristics (see Appendix B);
- relevant datasets (see Appendix F.1);
- photographs of the application area (see Appendix E);
- the clearing principles set out in Schedule 5 of the EP Act (see Appendix C); and
- relevant planning instruments and any other matters considered relevant to the assessment (see Section 3).

In making the decision to grant the clearing permit application, the Delegated Officer considered several key factors. These included the location of the proposed clearing and the already partially cleared, parkland-like condition of the application area. Additionally, the applicant's commitment to undertake revegetation works was noted as a measure to help mitigate potential environmental impacts resulting from the clearing activities.

The applicant provided justification for the proposed dam construction, informing the department of insufficient water availability as a constraint on both current water security and the planned expansion of agricultural activities, specifically the cultivation of avocado, strawberry, watermelon, and broccoli crops. According to the applicant, the topography of the site was also factor in determining the most suitable location for the dam, with the selected application area representing the most feasible and cost-effective option for the construction of the dam.

The assessment identified that the proposed clearing will result in:

- the loss of 13 marri trees providing suitable foraging habitat for *Zanda latirostris* (Carnaby's black cockatoo), *Zanda baudinii* (Baudin's black cockatoo) and *Calyptorhynchus banksii naso* (forest red-tailed black cockatoo) (collectively referred to as black cockatoos); and
- the potential introduction and spread of weeds and dieback into adjacent vegetation, which could impact on the quality of the adjacent vegetation and its habitat values.

After consideration of the available information, as well as the applicant's minimisation and mitigation measures (see Section 3.1), the Delegated Officer determined the proposed clearing is unlikely to have long-term adverse impacts on environmental values and can be minimised and managed to be unlikely lead to an unacceptable risk to environmental values. The applicant has suitably demonstrated avoidance and minimisation measures (see Section 3.1).

The Delegated Officer decided to grant a clearing permit subject to conditions to:

- avoid, minimise to reduce the impacts and extent of clearing;
- take hygiene steps to minimise the risk of the introduction and spread of weeds and dieback; and
- undertake deliberate planting and ensure the long-term survival of at least 40 locally-provenanced *Corymbia calophylla* (marri) trees within Lot 107 on Deposited Plan 21977.

1.5. Site map

Figure 1 Map of the application area

The area crosshatched yellow indicate the area 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 polluter pays principle
- 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)
- *Conservation and Land Management Act 1984* (WA) (CALM Act)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)
- *Planning and Development Act 2005* (WA) (P&D Act)
- *Soil and Land Conservation Act 1945* (WA)

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)

3 Detailed assessment of application

3.1. Avoidance and mitigation measures

The applicant has reduced the clearing area from 33 trees to 16 trees during the assessment of the clearing permit application.

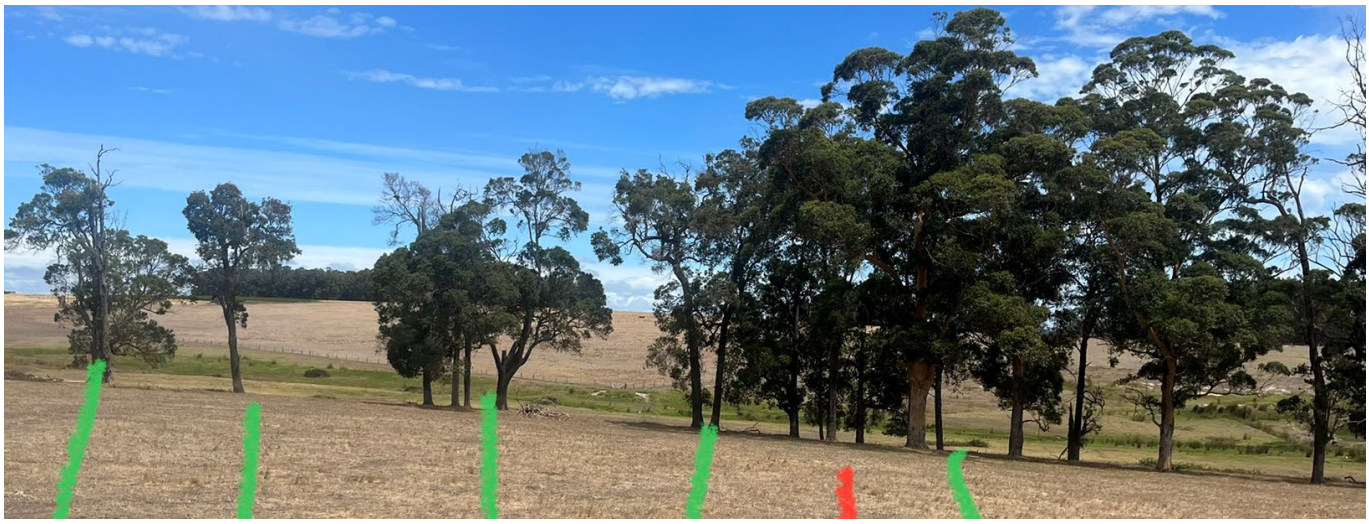

Figure 2: A photograph of the trees retained from clearing.

The applicant has committed to revegetating 40 marri trees on the property as a mitigation measure for the clearing of marri trees. To determine the quantum of the rehabilitation actions, the department used the WA environmental metric calculator to calculate the number of replacement trees required. The department has implemented a revegetation condition on the clearing permit to ensure the success of the revegetation.

Given the small extent of the proposed clearing and the proposed rehabilitation actions, the Delegated Officer was satisfied that the applicant has undertaken reasonable measures to avoid, minimise and mitigate potential impacts of the proposed clearing on environmental values.

3.2. Assessment of impacts on environmental values

In assessing the application, the Delegated Officer has had regard for the site characteristics (see Appendix B) and the extent to which the impacts of the proposed clearing present a risk to biological, conservation, or land and water resource values.

The assessment against the clearing principles (see Appendix C) identified that the impacts of the proposed clearing present a risk to biological values (fauna). The consideration of these impacts, and the extent to which they can be managed through conditions applied in line with sections 51H and 51I of the EP Act, is set out below.

3.2.1. Biological values (fauna) - Clearing Principles (b)

Assessment

The proposed clearing includes 13 *Corymbia calophylla* (marri) trees and three *Eucalyptus diversicolor* (karri) with a Diameter at Breast Height (DBH) of more than 50 centimeters. The photographs of the trees are included in Appendix E of this decision report.

The desktop assessment identified 19 conservation significant fauna species within the local area, which include 15 mammals, nine birds, nine mammals and one invertebrate. The majority of the records identified from the local area are *Pseudocheirus occidentalis* (western ringtail possum) which occur in different preferred habitat to that recorded within the application area. In determining the likelihood of occurrence of these species within the application area, the species preferred habitat attributes were considered. The following fauna species were considered likely to occur.

- *Calyptorhynchus banksii naso* (Forest red-tailed black cockatoo) – VU
- *Zanda baudinii* (Baudin's cockatoo) – EN
- *Zanda latirostris* (Carnaby's cockatoo) – EN

The completely degraded (Keighery, 1994) condition of the native vegetation, in particular the lack of an understory, the isolation of the application area from areas of native vegetation in good to better condition (Keighery, 1994) and the absence of a watercourse associated with the trees proposed to be cleared minimised the likelihood of migratory, marine and terrestrial ground dwelling fauna of conservation significant occurring within the application area.

Black cockatoos

The application area is mapped within the known distribution zones of the Endangered Baudin's cockatoo and Carnaby's cockatoo and Vulnerable Forest red-tailed black cockatoo (collectively known as black cockatoos). Black cockatoo habitat can be considered in terms of breeding, roosting and foraging habitat (DAWE, 2022).

The three black cockatoo species are known to nest in hollows of live and dead trees, including marri, jarrah (*Eucalyptus marginata*), karri, wandoo (*Eucalyptus wandoo*), tuart, flooded gum (*Eucalyptus rudis*), and other Eucalyptus spp. (Commonwealth of Australia, 2012). 'Breeding habitat' for black cockatoos includes trees of these species that either have a suitable nest hollow or are of a suitable DBH to develop a nest hollow, where suitable DBH for nest hollows is 500 millimetres for most tree species (DAWE, 2022). While breeding, black cockatoos also generally forage within a 6 to 12-kilometre radius of their nesting site (DAWE, 2022). According to available datasets, mapped black cockatoo foraging habitat is recorded within a 12-kilometre radius of the application area, making it a suitable location for breeding if appropriate hollows are present (DAWE, 2022).

To assist the department in assessing the potential habitat value of the trees proposed for clearing, the applicant provided photographs of each individual tree identified for removal (Kilrain.G.M, 2024b). The photographs assisted in determining whether any of the trees contained hollows that could serve as suitable nesting for black cockatoos. Based on a review of the submitted photographs, the trees do not appear likely to contain hollows of sufficient size or characteristics to be utilised by black cockatoos. As such, the likelihood of the proposed clearing impacting black cockatoo breeding habitat is considered to be low.

Night-roosts are usually located in the tallest trees of an area, and in close proximity to both a food supply and a water source (DAWE, 2022). Based on the photographs, it is likely that a few of the marri trees located within the application area are of a suitable height to provide for a roosting habitat. None of these trees, however, are known to be confirmed roost sites. Based on the abundant vegetation located within the local area close to watercourses and within foraging distance to black cockatoo food sources, the proposed clearing is not likely to significantly impact on the availability of roost sites for the black cockatoo birds.

Foraging habitat for Carnaby's, Baudin's and Forest red-tailed black cockatoo varies (Commonwealth of Australia, 2012). Forest red-tailed black cockatoo forages within jarrah and marri woodlands and forest, and edges of karri forests including wandoo, within the range of the subspecies. The species largely feeds on seeds of marri and jarrah,

as well as other Eucalyptus species and Allocasuarina cones (Johnstone et al, 1999). Baudin's cockatoos prefer foraging within eucalypt woodlands and forest, and proteaceous woodland and heath. Its diet consists mainly of seeds from marri, but Baudin's also feed on various Banksia species, Hakea species jarrah, and occasionally insects and insect larvae (DAWE, 2022). During the breeding season (October to late January/early February), Baudin's has a preference for marri seeds (Commonwealth of Australia, 2012). Carnaby's cockatoo feeds on the seeds, nuts and flowers of a large variety of plants including proteaceous species (Banksia, Hakea and Grevillea), as well as Allocasuarina and Eucalyptus species, marri and a range of introduced species (Valentine and Stock, 2008). Food resources within the range of breeding sites and roost sites are important to sustain black cockatoo populations. Foraging resources are therefore viewed in the context of known breeding and night roosting sites. It is considered that foraging habitat within 6 to 12 kilometres of confirmed roost and breeding sites are a significant food source (DAWE, 2022).

According to the available databases, two known black cockatoo roosting sites and no breeding sites are mapped within the 12 kilometres of the application area. The closest confirmed roost site is at 10.2 kilometres from the application area. Therefore, the value of the marri trees within the application area as foraging habitat for black cockatoos is low, when considering the site context.

The department also notes that the extent of native vegetation remaining within the local area is approximately 40 per cent with abundant vegetation secured under the Department of Biodiversity, Conservation and Attractions (DBCA) legislated land likely containing suitable foraging habitat for the black cockatoos. However, given the rapidly declining foraging resources for black cockatoos, and the importance of marri trees as foraging habitat for black cockatoos, it is important that the applicant consider mitigation options to ensure that the clearing does not result in a significant residual impact.

Following discussions regarding the above with the applicant, a revegetation commitment was agreed to by the applicant. The applicant proposed to undertake planting of marri trees adjacent to the clearing area to ensure that a significant residual impact from the clearing does not occur.

According to the WA Environmental Offsets Calculator and consistent with the WA Environmental offsets policy (2011), to mitigate the loss of 16 marri trees suitable for black cockatoo foraging, 40 marri trees are required to be planted within the same property as the proposed clearing area. A significant residual impact no longer will not remain following the rehabilitation actions.

Conclusion

Based on the above assessment, the application area is likely to provide significant foraging habitat for black cockatoos. Due to the nature of the proposed clearing and the degraded understorey, other fauna species are not likely to be significantly impacted by the proposed clearing. Planting marri trees within the same property as the proposed clearing area will ensure no significant residual impact remains for clearing black cockatoo foraging habitat.

Conditions

To address the above impacts, the following management measures will be required as conditions on the clearing permit:

- Avoidance and minimisation measures; and
- Planting and ensure the long-term survival of at least 40 *Corymbia calophylla* (marri) to counterbalance the residual impacts from the loss of 13 marri trees suitable for black cockatoo foraging.

3.3. Relevant planning instruments and other matters

The application area is zoned by Local Planning Scheme No. 4 as 'Priority Agriculture'.

The Shire of Manjimup advised the department that local government approvals are not required, and that the proposed clearing is consistent with the Shire's Local Planning Scheme. The Shire did not have any objections to the proposed clearing. However, the Shire advised that if the edge of the dam wall is to be less than 20 metres from the lot boundary, Shire planning approvals for the dam works will be required (Shire of Manjimup, 2024). The applicant has advised that the dam wall is more than 20 metres from the lot boundary.

The application area falls within the Donnely River System Surface Water Area, as proclaimed under the *Rights in Water and Irrigation Act 1914* (RIWI Act). Therefore, the department requested advice from the department's South West Bunbury licencing. The Advice received was that the landowner is not required to obtain a permit or licence under RIWI Act to construct a dam on Lot 107 on Plan 21977. Department officers undertook a site visit in 2019 and determined the watercourse the landowner is proposing to construct a dam on meets the exemption under Part III Section 5(1)(a) of the RIWI Act (spring exemption) (DWER, 2025).

The assessment has identified that the application area falls within the Donnelly River Water Reserve Public Drinking Water Source Area. Advice from the department's Water Source Protection planning team was requested. The advise was that currently this section of the Donnelly River Water Reserve is not assigned a priority area, however under the WQPN25: Land use compatibility tables for public drinking water source areas there is information to best determine an indicative priority area in such cases, allowing for best practice advice. Given that the land is rural and privately owned it would likely be assigned a Priority 2 (P2) area, Under Water Quality Protection Notice (WQPN25) dam construction itself is not a classified land use, however the proposed horticultural uses of the dam are considered compatible with conditions in P2 areas (DWER, 2024).

No Aboriginal sites of significance have been mapped within the application area. It is the permit holder's responsibility to comply with the *Aboriginal Heritage Act 1972* (WA) and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

End

Appendix A. Additional information provided by applicant

Summary of comments	Consideration of comment
Photographs (Kilrain.G.M, 2024b)	The applicant provided photographs of the clearing area to support the clearing permit application.

Appendix B. Site characteristics

B.1. Site characteristics

The information provided below describes the key characteristics of the area proposed to be cleared and is based on the best information available to DWER at the time of this assessment. This information was used to inform the assessment of the clearing against the Clearing Principles, contained in Appendix C.

Characteristic	Details
Local context	The area proposed to be cleared is a 0.16-hectare isolated patch of native vegetation in the extensive land use zone of Western Australia. It is surrounded by agricultural land from all sides of the application area. Aerial imagery and spatial data indicates the local area (10-kilometre radius from the centre of the area proposed to be cleared) retains approximately 40.4 per cent of the original native vegetation cover.
Ecological linkage	No formal ecological linkages occur within the application area.
Conservation areas	The application area is not mapped within any conservation areas. The nearest conservation area is an Agreement to reserve protected under the *Soil and Land Conservation Act 1945*, located approximately three kilometres from the application area.
Vegetation description	Photographs and further information supplied by the applicant indicate the vegetation within the proposed clearing area consists of 13 marri trees and three karri trees (Kilrain.G.M, 2024b). Representative photos are available in Appendix E. Three broad scale mapped vegetation complexes (Shepherd et al, 2001) occur within the application area. • Bevan (1) complex, which is described as tall open forest of *Corymbia calophylla-Eucalyptus marginata* subsp. *marginata* on uplands in perhumid and humid zones; • Crowea (70) complex, which is described as tall open forest of *Corymbia calophylla* with mixture of *Eucalyptus marginata* subsp. *marginata* and *Eucalyptus diversicolor* on uplands in hyperhumid and perhumid zones. • Yanmah, YN1 (321) complex, which is described as mixture of tall open forest of *Eucalyptus diversicolor* and tall open forest of *Corymbia calophylla-Eucalyptus patens-Eucalyptus marginata* subsp. *marginata* over *Agonis flexuosa* and *Agonis juniperina* on valleys in perhumid and humid zones. The mapped vegetation complexes described above retain greater than 70 per cent of the original extent (Government of Western Australia, 2019).
Vegetation condition	Photographs and the information supplied by the applicant indicate the vegetation within the proposed clearing area is in completely degraded condition (Keighery, 1994). The application area can be described as trees over weeds. The full Keighery (1994) condition rating scale is provided in Appendix D.

Characteristic	Details
	Representative photos are available in Appendix E.
Climate and landform	The application area is within two soil landform systems (DPIRD, 2019). These are: • Yanmah Subsystem (Dwalganup); described as Shallow (5-20 m) minor valleys, usually U-shaped with gentle sideslopes (3-10%) and broad swampy floors; and • Crowea (Dwalganup), yellow duplex Phase described as Gravelly yellow duplex soils
Soil description	Soils are loamy gravels, sandy gravels and deep sands with non-saline wet soils on the valley floors (DPIRD, 2019).
Land degradation risk	The land degradation table B.4. below outlines the land degradation risk levels. The application area is prone to wind erosion and not susceptible to any other land degradation risks.
Waterbodies	The desktop assessment and aerial imagery indicated that no watercourses or wetlands transect the application area. There is a non-perennial minor river 64 metres to the west of the application area. The applicant has indicated the vegetation to be cleared is associated with an unmapped waterline.
Hydrogeography	The application area falls within the Donnely River System Surface Water Area, as proclaimed under the RIWI Act and not within any groundwater area protected under the RiWI Act. The application area falls within the Donnelly River Water Reserve Public Drinking Water Source Area. Groundwater salinity within the application area is mapped at 500-1000 milligrams per litre total dissolved solids.
Flora	According to the desktop assessment, eight conservation significant flora species were recorded from the local area, of which one is a threatened flora and seven are priority flora species. The closest recorded flora species is the *Deyeuxia inaequalis* which is a priority one flora, recorded at 7.6 kilometres from the application area.
Ecological communities	The application area is not mapped within any conservation significant ecological communities. No conservation significant ecological communities are mapped within the local area.
Fauna	According to the desktop assessment, 19 conservation significant fauna species were recorded from the local area, of which nine are birds, nine are mammals and one invertebrate species. The fauna recorded the most is western ringtail possum, ngwayir (*Pseudocheirus occidentalis*) with 170 records. The closest recorded fauna is a south-western brush-tailed phascogale, wambenger (*Phascogale tapoatafa wambenger*) at 1.7 kilometres from the application area. The application area is within the distribution zones of all three black cockatoo species. Three are records of two black cockatoo roost sites and no breeding records within a 12 kilometres radius of the application area.

B.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*					
Warren	833,985.56	659,432.21	79.07	558,485.38	66.97
South west forest vegetation complex					
Darling Plateau - Bevan 1, BE1	76,781.57	62,802.37	81.79	59,258.88	77.18
Darling Plateau - Yanmah, YN1	23,494.22	19,229.71	81.85	18,180.49	77.38
Darling Plateau - Crowea, Cry	33,764.55	24,324.31	72.04	22,509.41	66.67
Local area					
10km radius	31,866.13	12,863.29	40.37	-	-

*Government of Western Australia (2019a)

**Government of Western Australia (2019b)

B.3. Fauna analysis table

Fauna species recorded from the local area that are likely to occur within the application area.

Species name	Common name	Conservation status	Number of known records (total)	Year of the most recent record
Calyptorhynchus banksii naso	forest red-tailed black cockatoo	VU	35	2019
Falco peregrinus	peregrine falcon	OS	1	1999
Zanda baudinii	Baudin's cockatoo	EN	25	2019
Zanda latirostris	Carnaby's cockatoo	EN	10	2018
Zanda sp. 'white-tailed black cockatoo'	white-tailed black cockatoo	EN	33	2001

B.4. Land degradation risk table

Risk categories	*Yanmah Subsystem (Dwalganup)*	*Crowea (Dwalganup), yellow duplex Phase*
Wind erosion	H2: >70% of map unit has a high to extreme wind erosion risk	
Water erosion	M1: 10-30% of map unit has a high to extreme water erosion risk	L2: 3-10% of map unit has a high to extreme water erosion risk
Salinity		
Subsurface Acidification	H2: >70% of map unit has a high subsurface acidification risk or is presently acid	
Flood risk	L2: 3-10% of the map unit has a moderate to high flood risk	L1: <3% of the map unit has a moderate to high flood risk
Water logging	M1: 10-30% of map unit has a moderate to very high waterlogging risk	L1: <3% of map unit has a moderate to very high waterlogging risk
Phosphorus export risk	M2: 30-50% of map unit has a high to extreme phosphorus export risk	M1: 10-30% of map unit has a high to extreme phosphorus export risk

Appendix C. Assessment against the clearing principles

Assessment against the clearing principles	Variance level	Is further consideration required?
Environmental value: biological values		
Principle (a): *"Native vegetation should not be cleared if it comprises a high level of biodiversity."* Assessment: The area proposed to be cleared contains vegetation that is significant foraging habitat for the black cockatoo birds. The clearing will not have any impact on conservation significant flora species or conservation significant ecological communities. The current condition (Keighery, 1994) of the vegetation proposed to be cleared is completely degraded (Keighery, 1994) with obvious signs of disturbance. Based on this, it is unlikely that the application area contains vegetation of a high diversity or contain conservation significant flora or ecological communities.	Not likely to be at variance	No
Principle (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."* Assessment The area proposed to be cleared contain foraging and potential roosting, habitat for the three threatened black cockatoo bird species.	At variance	Yes *Refer to section 3.2.1, above.*
Principle (c): *"Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."* Assessment: One threatened flora species was recorded from the local area, that is *Deyeuxia inaequalis.* This species is associated with eucalypt forest including jarrah, marri, and karri over heath of *Xanthorrhoea preissii*, Acacia spp., Bossiaea spp., Hibbertia spp., Banksia spp., *Macrozamia riedlei, Persoonia longifolia* or *Callistachy lanceolata* (WA Herb, 1998-). Given the condition of the vegetation within the application area and considering the habitat requirements of *Deyeuxia inaequalis,* it is unlikely that the application area contains habitat for flora species listed under the BC Act.	Not likely to be at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
Principle (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."* Assessment: The application area does not contain species that can indicate a Threatened Ecological Community. No TEC are mapped in the local area.	Not likely to be at variance	No .
Environmental value: significant remnant vegetation and conservation areas		
Principle (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."* Assessment: The extent of the mapped vegetation type and the native vegetation in the local area is consistent with the national objectives and targets for biodiversity conservation in Australia. The vegetation proposed to be cleared is not considered to be part of a significant ecological linkage in the local area.	Not likely to be at variance	No
Principle (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."* Assessment: Given the distance to the nearest conservation area, the proposed clearing is not likely to have an impact on the environmental values of conservation areas within the local area.	Not likely to be at variance	No
Environmental value: land and water resources		
Principle (f): *"Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland."* Assessment: No mapped water courses or wetlands are recorded within the application area, however an unmapped waterline exists within the application area. The proposed clearing does not include species known to be riparian, however they are likely to be hydrologically connected to surface water flows of the unmapped waterline. Clearing vegetation for the purpose of a dam inherently involves clearing of vegetation associated with a watercourse.	At variance	No
Principle (g): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation."* Assessment: The mapped soils are highly susceptible to wind erosion. Noting the extent of the application area and the condition of the vegetation, the proposed clearing is not likely to have an appreciable impact on land degradation.	Not likely to be at variance	No
Principle (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."* Assessment: Given no water courses or wetlands are recorded within or within 50 metres of the application area, the proposed clearing is unlikely to impact surface or ground water quality. The application area is within a Public Drinking Water Source Protection Area, that currently does not have a assigned Priority level. Advice was received from	Not likely to be at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
the department's water protection branch to ensure that the proposed works were compatible with the potential priority levels in this area (DWER, 2024).		
Principle (j): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding."* Assessment: The mapped soils and topographic contours in the surrounding area do not indicate the proposed clearing is likely to contribute to increased incidence or intensity of flooding. Given no water courses or wetlands are recorded within or within 50 metres of the application area, the proposed clearing is unlikely to contribute to waterlogging.	Not likely to be at variance	No

Appendix D. 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, B.J. (1994) *Bushland Plant Survey: A Guide to Plant Community Survey for the Community*. Wildflower Society of WA (Inc). Nedlands, Western Australia.

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.
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 E. Photographs of the vegetation (Kilrain.G.M, 2024b)

Photographs provided by the applicant along with the clearing permit application form.

Further photographs provided by the applicant on request by the department.

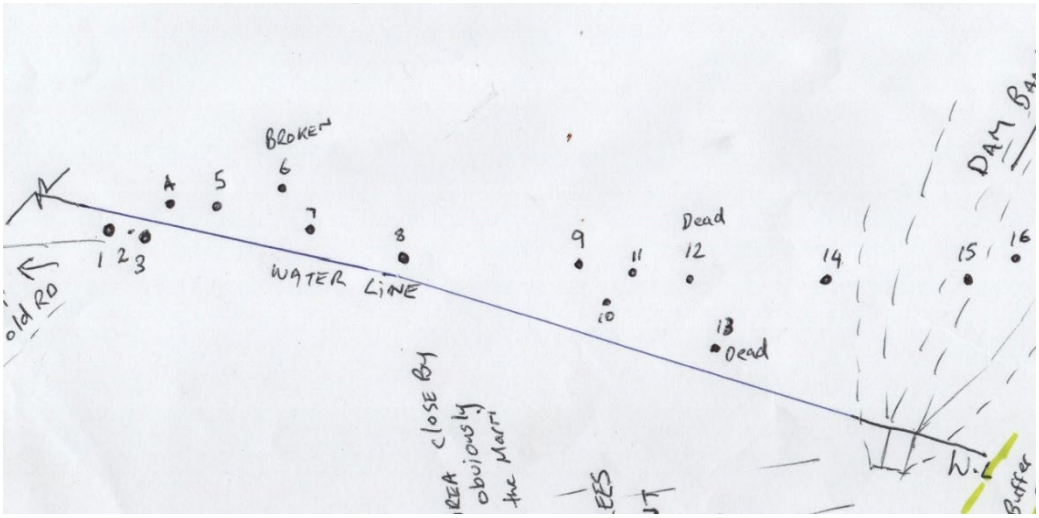

Figure 3: Location of where the photos below were taken.


1
2
3


4


5


6


7


8


9


10


11


12
Dead


13
Dead


14

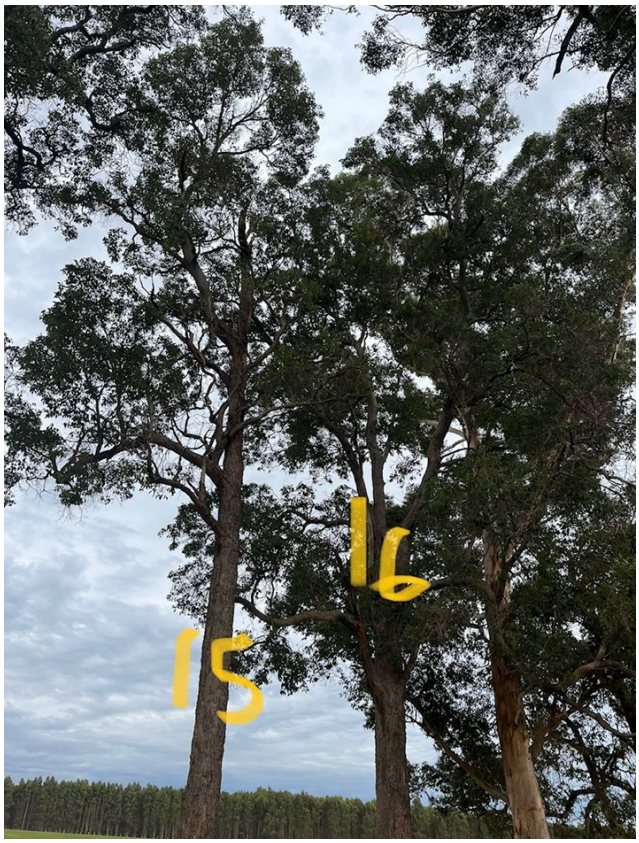

Table 1: DBH of trees proposed for clearing measured in millimetres

Tree	DBH (mm)
1	929
2	758
3	1114
4	487
5	598
6	420/668
7	1248
8	668
9	796
10	637
11	633
12	719
13	477
14	812
15	331
16	872

Appendix F. Sources of information

F.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)

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