



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 2879 / 1

File Number: DEC

Duration of Permit: From 30 May 2009 to 30 May 2011

PERMIT HOLDER

Thanh Duc Dinh

Thuong Le Do

LAND ON WHICH CLEARING IS TO BE DONE

Lot 4 on Diagram 57378, Ziatas Road, Pinjar

AUTHORISED ACTIVITY

Clearing of up to 1.85 hectares of native vegetation within the area cross-hatched yellow on attached Plan 2879/1.

CONDITIONS

Nil.

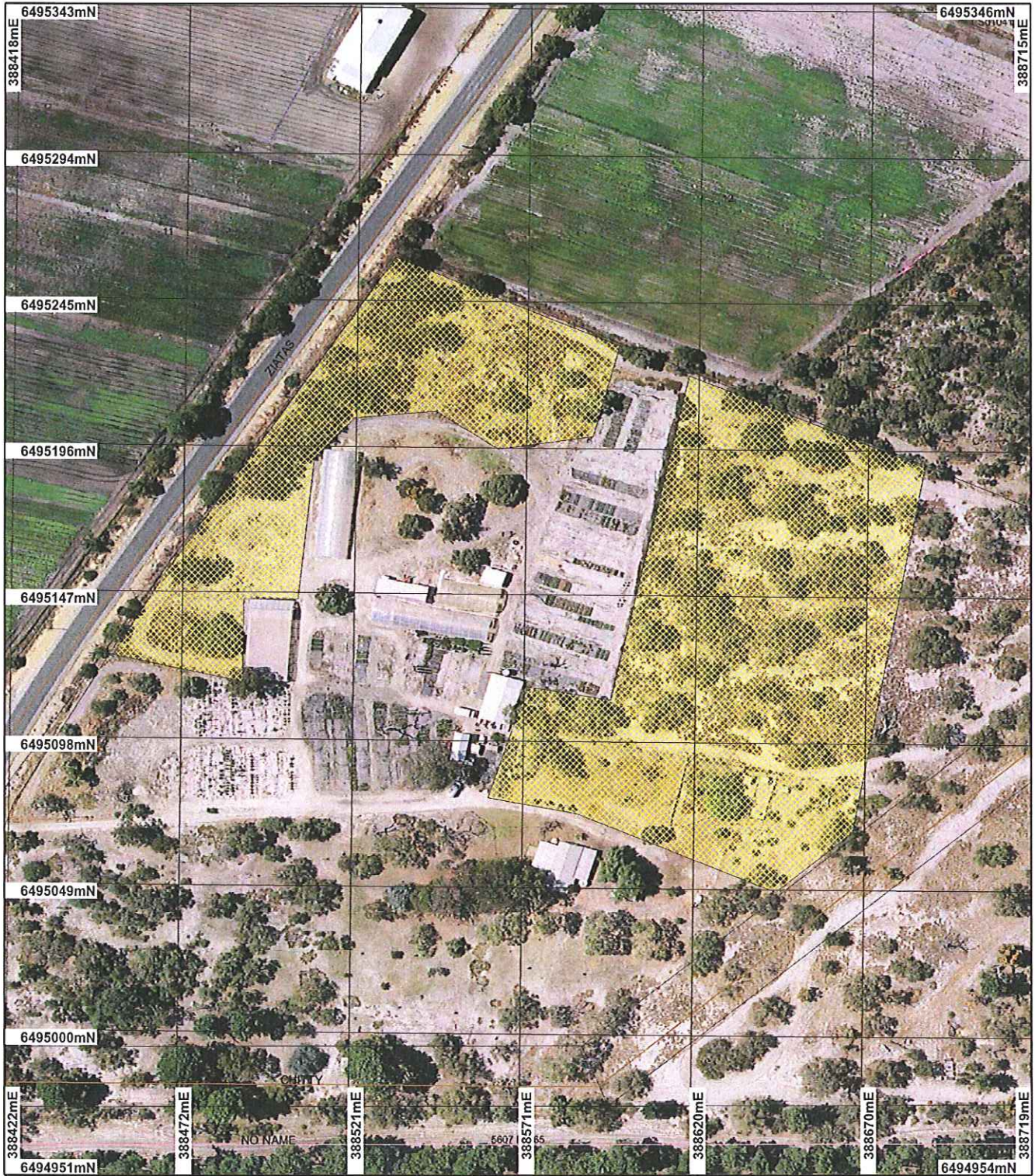
A handwritten signature in black ink, appearing to read "K Faulkner", written over a horizontal line.

Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

30 April 2009

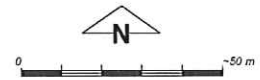
Plan 2879/1



LEGEND

- Cadastre for labelling
- Road Centrelines
- FW
- HY
- LRO (cont)
- LRS
- MR
- N
- TR
- Clearing Instruments**
- Areas Approved to Clear

Perth Metropolitan Area
North 20cm Orthomosaic -
Landgate 2007



Scale 1:1736
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

Date 30/4/09

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

Information derived from this map should be
confirmed with the data custodian acknowledged
by the agency acronym in the legend.



Department of
Environment and Conservation

WA Crown Copyright 2002

* Project Data is denoted by asterisk. This data has not been quality assured. Please contact map author for details.



1. Application details

1.1. Permit application details

Permit application No.: 2879/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Thuong Le Do and Thanh Duc Dinh

1.3. Property details

Property: LOT 4 (ZIATAS RD, PINJAR 6065)
LOT 4 (ZIATAS RD, PINJAR 6065)
Local Government Area: City Of Wanneroo

Colloquial name:

1.4. Application

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

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: 6 - Medium woodland; tuart & jarrah (SAC Bio Datasets 06/01/2009; Shepherd, 2007)	The area under application (1.85ha) is located within a 5.5ha property (zoned rural). The proposed clearing is for the establishment of a market garden.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The condition of the native vegetation under application was determined from aerial imagery, which shows scattered trees over a sparse groundcover and shrubs.
Heddle Vegetation Complexes: Pinjar Complex - Vegetation ranges from woodland of <i>E. marginata</i> - <i>Banksia</i> species to a fringing woodland of <i>E. rudis</i> - <i>M. preissiana</i> and sedgeland. (Hedde et al, 1980)	The vegetation under application consists of a scattering of trees over sparse groundcover in a degraded to completely degraded condition. The vegetation is associated with the Hedde: Pinjar Complex, being woodland of jarrah and banksia species.		

3. Assessment of application against clearing principles

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

Comments

The vegetation within the area under application comprises of scattered native trees over sparse groundcover in an overall degraded condition and is associated with the Hedde: Pinjar Complex, being woodland of jarrah and banksia species or fringing vegetation of *Eucalyptus rudis* and *Melaleuca* species. Given the degraded nature of the area under application, it is not considered likely for it to comprise of a high level of biological diversity.

There are seven recordings of conservation significant fauna within the local area (~5km radius). The area under application is adjacent to the Gnaragara - Moore River state forest on the southern side and is in a degraded condition and therefore is not considered likely to provide a significant habitat for local or conservation significant fauna in the local area.

There are no known recordings of rare flora within the local area (~5km radius). The closest recording is of *Eucalyptus argutifolia* occurring 5.1 km west of the area under application. This species occurs on shallow soils over limestone or on slopes or gullies of limestone ridges and outcrops (Western Australian Herbarium 1998-). The vegetation under application occurs on subdued dune-swale terrain with soils of leached sands (Northcote et al. 1960-68) and does not contain the preferred habitat (limestone ridges) that this species favours. Therefore, it is not considered likely for the area under application to contain rare flora.

There are two known occurrences of Threatened Ecological Communities (TEC) in the local area (~5 km

radius). They being FCT 20a - Banksia attenuata woodland over species rich dense shrublands occurring 2.5 km southwest and FCT 26a - Melaleuca huegellii - Melaleuca acerosa shrublands of limestone ridges occurring 4 km west of the area under application. Given that the vegetation under application occurs in a degraded condition and does not occur in an area that has limestone ridges it is not considered likely the area would contain or be necessary for the maintenance of a threatened ecological community.

As the area under application contains scattered trees over a sparse groundcover in a degraded condition and is surrounded by large remnants of vegetation in an excellent condition occurring in the Gngangara - Moore River State Forest, it is not considered likely to be significant as a remnant of native vegetation.

The closest conservation reserve to the area under application is the Gngangara - Moore River State Forest which occurs 20 m to the south of the area under application and is separated by a sparsely vegetated unmade road reserve. Given this, and the lack of linkage values of the area under application it is considered unlikely for the proposed clearing to impact on the reserves environmental values.

There are numerous wetlands within the local area (5 km radius) with the closest being a Multiple Use Wetland (MUW), Lake Pinjar, occurring within the northern corner of the area under application (~ 0.7 ha). The nearest Conservation Category Wetland (CCW) occurs 400 m west of the area under application. The nearest watercourse is a minor stream and occurs ~2.2 km northeast of the area under application. A site inspection (DEC 2009) of the area under application did not identify wetland flora species within the mapped wetland on site. However, two Melaleuca trees were observed in the area under application outside the wetland mapping. Given this, the proposed clearing is considered maybe at variance to principle (f).

The area under application occurs within the Bassendean Dune system and consists of leached sands (Northcote et al. 1960-68). The main land degradation risk with the identified soil type is wind erosion and phosphorus export (Department of Agriculture 2005). Within the northern corner that is currently mapped as a MUW, there is a risk of water logging (Department of Agriculture, 2005).

Given that the area under application contains vegetation consisting of scattered trees in a degraded condition it is not considered likely for the proposed clearing to cause appreciable land degradation through wind erosion, water logging or phosphorus export. Neither is it considered to cause deterioration to surface or underground water quality. The limited clearing is not considered likely to have an impact on peak flood height or duration.

Methodology

Reference

- DEC (2009)
- Department of Agriculture (2005)
- Northcote et al. (1960-68)
- Western Australian Herbarium (1998-)
- GIS Databases
- DEC Managed Lands and Waters
- Geomorphic Wetlands (Classification), Swan Coastal Plain
- Hydrography, linear (hierarchy)
- SAC Bio Dataset 6/01/2009
- Soils, statewide
- Swan Coastal Plain North 20cm Orthomosaic - Landgate 2006

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

Comments

The proposal is to clear 1.85 ha of native vegetation within a 5.5ha property for the purpose of establishing a market garden.

The owners of the land had previously, a groundwater extraction licence (GWL47082(4)) for the usages of the previous pot plant nursery on the site. As the use of the land has changed to the proposed market garden, an application to amend the licence was required. The owners of the property have now received a new groundwater extraction licence (GWL47082(5)) for 35 000 kL per year for the Irrigation of 1.85 ha of market garden and 0.4 ha of hot houses and is licences from 9 March 2009 to the 9th March 2019. The area under application has been amended from 3.4 ha to 1.85 ha due to the water licence for 1.85 ha of market garden.

The area under application is zoned Rural under the Metropolitan Regional Scheme and the City of Wanneroo's Town Planning scheme.

Planning approval has been given by the City of Wanneroo with the conditions:

1. Prior to the commencement of site works, a Nutrient Irrigation Management Plan is to be prepared, to the satisfaction of the Department of Water
2. Application being made for the issue of a Clearing Permit by the Department of Environment and Conservation before an areas of re-growth are cleared (City of Wanneroo, 2008).

The Department of Water has not received or assessed a Nutrient Irrigation Management Plan for the area under application.

The northern corner of the area under application has moderate to high potential to encounter Acid Sulphate Soils (ASS) while the majority of the area under application has moderate to low risk of ASS.

Methodology

Reference:

- City of Wanneroo (2008)

GIS databases:

- Acid Sulphate Soils Risk

- Metropolitan Regional Scheme

- Town Planning Scheme Zones

4. Assessor's comments

Comment

The assessable criteria have been addressed and the proposed clearing may be at variance to principle (f)

5. References

City of Wanneroo (2008) Planning Approval for Change of Use from Plant Nursery to Intensive Agriculture, Lot 4 Ziatas Road, Pinjar.

DEC (2009) Site Inspection Report for Clearing Permit Application CPS 2879/1, Lot 4 Ziatas Road, Pinjar. Site inspection undertaken 12/01/2009. Department of Environment and Conservation, Western Australia (TRIM Ref. DOC73777).

Department of Agriculture (2005) AgMaps Land Manager CD-rom for the Shires of Serpentine-Jarrahdale, Kwinana, Rockingham, Mandurah, Murray, Boddington, Waroona and Harvey. Department of Agriculture, Western Australia. ISSN: 1448-235X.

Hedde, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, Western Australia.

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

Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68): 'Atlas of Australian Soils, Sheets 1 to 10, with explanatory data'. CSIRO and Melbourne University Press: Melbourne.

Shepherd, D.P. (2007). Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth. Includes subsequent updates for 2006 from Vegetation Extent dataset ANZWA1050000124.

Western Australian Herbarium (1998-). FloraBase: The Western Australian Flora. Department of Environment and Conservation. <http://florabase.dec.wa.gov.au/> (Accessed 07/01/2009).

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)