



## **CLEARING PERMIT**

*Granted under section 51E of the Environmental Protection Act 1986*

### **PERMIT DETAILS**

Area Permit Number: 5030/1  
File Number: DEC4166  
Duration of Permit: From 5 April 2013 to 5 April 2018

### **PERMIT HOLDER**

Gregory John Peake

### **LAND ON WHICH CLEARING IS TO BE DONE**

Lot 304 on Deposited Plan 129486, Frankland River  
Lot 303 on Deposited Plan 227128, Frankland River  
Lot 302 on Deposited Plan 227128, Frankland River  
Lot 711 on Deposited Plan 80453, Frankland River  
Lot 43 on Deposited Plan 102106, Frankland River

### **AUTHORISED ACTIVITY**

The Permit Holder shall not clear more than 5 hectares of native vegetation within the combined areas shaded yellow on attached Plan 5030/1.

### **CONDITIONS**

Nil.

*B. Walker*

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Belinda Walker  
A/MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

14 March 2013

# Plan 5030/1



## LEGEND

**Road Centrelines**  
 Road

**Clearing Instruments**

Areas Approved to Clear

Image Index

(cont)

Recently added  
 Coverage

Frankland 50cm Orthomosaic -  
 Landgate 2006



Scale 1:23444

(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.

B. Walker Date 14.3.13

B. Walker

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**

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## 1. Application details

### 1.1. Permit application details

Permit application No.: 5030/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Gregory John Peake

### 1.3. Property details

Property: LOT 107 ON PLAN 119654 (FRANKLAND RIVER 6396)  
LOT 43 ON PLAN 102106 (House No. 4 HAYNESDALE FRANKLAND RIVER 6396)  
LOT 711 ON PLAN 80453 (FRANKLAND RIVER 6396)  
LOT 302 ON PLAN 227128 (FRANKLAND RIVER 6396)  
LOT 303 ON PLAN 227128 (FRANKLAND RIVER 6396)  
LOT 344 ON PLAN 227128 (FRANKLAND RIVER 6396)  
LOT 304 ON PLAN 129486 (FRANKLAND RIVER 6396)

Local Government Area: Shire of Cranbrook  
Colloquial name:

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 14 March 2013

## 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 is described as 'Medium forest; jarrah-marri'.	The amended application is to clear 20 hectares (ha) of native vegetation within Lot 304 on Plan 129486, Lot 711 on Plan 80453, Lot 43 on Plan 102106, Lot 107 on Plan 119654, and Lots 302, 344 and 303 on Plan 227128, Frankland River, for the purpose of improving agriculture practices.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The vegetation condition and description was determined from a site inspection conducted on 12 February 2013 (DEC, 2013).
Beard vegetation association 697 is described as 'Shrublands; scrub-heath on lateritic sandplain in the southern Geraldton Sandplain Region'.  (Shepherd et al, 2001).	The area under application ranges from a completely degraded (Keighery, 1994) condition to degraded (Keighery, 1994) condition and consists of a Jarrah-Marri forest and woodland with Wandoo on the upper slopes tending to flooded gums and paperbarks on the lower slopes (Commissioner of Soil and land Conservation, 2012). The areas under application have been extensively grazed leaving little understorey remaining.	To  Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	

## 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 amended application is to clear 20 ha of native vegetation within Lot 304 on Plan 129486, Lot 711 on Plan 80453, Lot 43 on Plan 102106, Lot 107 on Plan 119654, and Lots 302, 303 and 344 on Plan 227128, Frankland River, for the purpose of improving agriculture practices.

The initial application was for 120 hectares and included an additional four properties. An assessment against the ten clearing principles identified a number of significant environmental issues, being: the application occurs within an extensively cleared landscape, the proposed clearing is likely to cause appreciable land degradation in the form of salinity and the application area is likely to provide suitable habitat for *Calyptorhynchus banksii* subsp. *naso* (Forest Red-tailed black cockatoo), *Calyptorhynchus baudinii* (Baudin's black cockatoo) and *Calyptorhynchus latirostris* (Carnaby's black cockatoo).

In response to the initial assessment the applicant reduced the application to 20 hectares, removing the larger areas of better condition vegetation.

The following assessment is for the amended application of 20 hectares.

The area under application ranges from a completely degraded (Keighery, 1994) condition to degraded (Keighery, 1994) condition and consists of a Jarrah- Marri forest and woodland with Wandoo on the upper slopes tending to flooded gums and paperbarks on the lower slopes (Commissioner of Soil and land Conservation, 2012).

No Priority or Threatened Ecological Communities are mapped in the local area (10km radius) and the closest mapped priority flora is located 9km from the proposed clearing area. Due to the areas under application being extensively grazed and consisting of limited understorey, priority flora is unlikely to be found within the application areas.

Given the completely degraded to degraded (Keighery, 1994) condition of the vegetation under application and historical disturbance, the proposed clearing is unlikely to be at variance to this principle.

**Methodology**

References:  
Keighery (1994)

GIS Databases:  
- Interim Biogeographic Regionalisation of Australia  
- Pre-European Vegetation  
SAC Bio Datasets (Accessed 14/5/12)  
- Frankland 50cm Orthomosaic- Landgate 2010

**(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 may be at variance to this Principle**

The three conservation significant black cockatoo species *Calyptorhynchus banksii* subsp. *naso* (Forest Red-tailed black cockatoo), *Calyptorhynchus baudinii* (Baudin's black cockatoo) and *Calyptorhynchus latirostris* (Carnaby's black cockatoo) have been recorded in the local area (DEC, 2007- ). These species are listed as Rare or Likely to Become Extinct under the Wildlife Conservation Act 1950 and are also protected under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.

The level of understorey disturbance does not detract from the habitat value of the overstorey to black cockatoo species and therefore the vegetation under application may consist of suitable nesting and foraging habitat for these species of conservation significance. The application areas may also support other native avian fauna.

A site inspection undertaken by Department of Environment and Conservation officers in February 2013 identified very few trees containing hollows suitable to be utilised by black cockatoos (DEC, 2013). No feeding evidence was observed (DEC, 2013). Although, no feeding evidence was observed and only limited hollows were seen, it must be noted that the area was not surveyed by somebody suitably qualified and therefore suitable habitat may still exist.

The proposed clearing may be at variance to this clearing principle.

**Methodology**

References:  
DEC (2007-)  
DEC (2013)

GIS Databases:  
- Frankland 50cm Orthomosaic 2010  
- SAC Bio Datasets (Accessed 14/5/12)

**(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**

Within the local area (10km radius) there are two known species of rare flora.

The preferred habitat for the closest rare flora species is low-lying depressions and swamps (Western Australian Herbarium, 1998- ). Given the habitat preferences for this species it is unlikely to be found within the application areas.

Therefore the proposed clearing is not likely to be at variance with this Principle.

**Methodology** GIS Databases:  
- SAC Bio Datasets (Accessed 14/5/12)

**(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**  
There are no known threatened ecological communities within a 10km radius of the proposed clearing.  
  
Therefore the proposed clearing is not likely to be at variance with this Principle.

**Methodology** GIS Databases:  
- SAC Bio Datasets (Accessed 14/5/12)

**(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 at variance to this Principle**  
The areas under application fall within the Beard vegetation association 697 (scrub-heath on lateritic sandplain) and Beard vegetation association 3 (medium jarrah-marri forest) within the Jarrah Forest bioregion.

There is approximately 55 per cent of the Jarrah Forest bioregion remaining (EPA, 2000).

Beard vegetation association 697 retains approximately 26 per cent pre-European vegetation within the Jarrah Forest bioregion and Beard vegetation association retains approximately 69 per cent (Government of Western Australia, 2011).

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 per cent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001). Beard vegetation association 697 retains below the recommended threshold level.

Within the local area (10km radius) approximately 20 per cent of native vegetation remains (Frankland 50cm Orthomosaic 2010).

The areas under application falls within the agricultural area defined in Environmental Protection Authority (EPA) Position Statement No. 2. EPA Position Statement No. 2 (EPA, 2000) states that significant clearing of native vegetation has already occurred on agricultural land, leading to a reduction in biodiversity and increase in land salinisation, and therefore any further reduction in native vegetation through clearing for agriculture cannot be supported.

Given the values of the remnant vegetation as suitable fauna habitat and that the local area has been extensively cleared the proposed clearing is at variance to this clearing principle.

	Pre-European (ha)	Current Extent Remaining (ha)	Remaining (%)	Extent in DEC Managed Lands (%)
IBRA Bioregion*				
Jarrah Forest	4,506,567	2,475,560	54.9	67.94
Shire*				
Shire of Cranbrook	327,506	123,643	37.75	36.10
Beard Vegetation Association in Bioregion*				
3	2,661,406	1,641,271	68.7	79.7
697	187,287	3,929	26.4	6.06

\*Ref: Government of Western Australia (2011)

**Methodology** References:  
Commonwealth of Australia (2001)  
EPA (2000)  
Government of Western Australia (2011)  
Shepherd et al (2001)

GIS Databases:  
-Frankland 50cm Orthomosaic 2010

**(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 may be at variance to this Principle**

A minor, non perennial water course runs through the centre of the areas to be cleared. Vegetation proposed to be cleared within lots 304 and 302 is growing in close proximity to this water course.

Therefore the proposed clearing may be at variance to this principle.

**Methodology** GIS Databases:  
-Frankland 50cm Orthomosaic 2010  
-Hydrography, linear

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

**Comments Proposal is at variance to this Principle**

The area under application is mapped as soil type Tf6, which is described as 'Undulating to hilly portions of dissected lateritic plateau at moderate elevation: chief soils are hard acidic and neutral yellow mottled soils containing small to large amounts of ironstone gravels' (Northcote et al 1960 - 1968).

The salinity risk is mapped as medium-high.

Groundwater salinity mapping identifies the area as being highly saline, between 3000-14000 mg/L and a Department of Agriculture and Food of Western Australia (DAFWA) site visit in June 2012 identified saline areas in close proximity to the areas under application (Commissioner of Soil and Land Conservation, 2012).

The Commissioner of Soil and Land Conservation (2012) advises that salinity in the local area is increasing and tending to follow the waterways higher up in the landscape, with some discharge areas becoming more active and tending towards becoming more saline. The previous land owner advised in 2007 that salinity is spreading on the properties (Pick, 2007).

The Commissioner of Soil and Land Conservation (2012) advises that the risk of wind and water erosion, eutrophication, water logging and flooding causing appreciable land degradation is low (Commissioner of Soil and Land Conservation, 2012).

Salt affected areas occur on adjacent properties and the proposed clearing has a moderate to high risk of increased salination (Commissioner of Soil and Land Conservation, 2012).

Therefore the proposed clearing is at variance to this principle.

The Commissioner did however advise that there are four small degraded areas of vegetation that could be cleared without causing increased salinity on the properties.

**Methodology** References:  
Commissioner of Soil and Land Conservation (2012)  
Northcote et al (1960 - 68).  
Pick (2007)

GIS Databases:  
- Groundwater Salinity, Statewide  
- Salinity Risk  
-Soils, Statewide

**(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 Rock Hole Dam Nature Reserve is approximately 11km to the east of the proposed clearing areas and an unnamed nature reserve is located approximately 4.8km north west of the application areas. There are no other known conservation areas within the local area (10km radius).

Given the distance between the proposed clearing areas and the nature reserves it is unlikely that the areas under application provide significant ecological linkage values to nearby conservation areas.

The proposed clearing is not likely to be at variance to this principle.

**Methodology** GIS Databases:  
- DEC Tenure  
- Frankland 50cm Orthomosaic- Landgate 2010

**(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 at variance to this Principle**

A minor, non-perennial watercourse runs from east to west through the areas under application (Lots 107, 711, 302 and 304). This watercourse feeds into a saline creek and runs into the Gordon River, a mainstream river, occurring approximately four kilometres north of the areas under application.

Clearing in close proximity to this watercourse may lead to localised sedimentation which causes short term deterioration of the surface water quality.

Groundwater salinity mapping identifies the area as being highly saline, between 3000-14000 mg/L and a Department of Agriculture and Food of Western Australia (DAFWA) site visit in June 2012 identified saline areas on the properties under application (Commissioner of Soil and Land Conservation, 2012).

The Commissioner of Soil and Land Conservation (2012) advises that salinity in the local area is increasing and tending to follow the waterways higher up in the landscape, with some discharge areas becoming more active and tending towards becoming more saline (Commissioner of Soil and Land Conservation, 2012). The previous land owner advised in 2007 that salinity is spreading on the properties (Pick, 2007).

This clearing may impact on surface and groundwater quality in terms of salinity and sedimentation. The proposed clearing is at variance to this principle.

**Methodology** References:  
Commissioner of Soil and Land Conservation (2012)  
Pick (2007)

GIS Databases:  
-Hydrography, linear  
-Groundwater Salinity  
-Salinity Risk  
-NWLRA, Current Extent of Native Vegetation

**(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**

Given the slope lengths and soil types present within the areas under application the removal of 20 ha of vegetation is unlikely to contribute to flooding (Commissioner of Soil and Land Conservation, 2012).

The proposed clearing is not likely to be at variance to this clearing principle.

**Methodology** References:  
Commissioner of Soil and Land Conservation (2012)

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

**Comments**

The initial application was for 120 hectares and included an additional five properties. An assessment against the ten clearing principles identified a number of significant environmental issues, being: the application occurs within an extensively cleared landscape, the proposed clearing is likely to cause appreciable land degradation in the form of salinity and the application area is likely to provide suitable habitat for *Calyptorhynchus banksii* subsp. *naso* (Forest Red-tailed black cockatoo), *Calyptorhynchus baudinii* (Baudin's black cockatoo) and *Calyptorhynchus latirostris* (Carnaby's black cockatoo).

In response to the initial assessment the applicant reduced the application to 20 hectares, removing the larger areas of better condition vegetation.

The amended application was referred to the Commissioner of Soil and Land Conservation for comment. In response the Commissioner advised that the amended application involves removing a number of blocks of vegetation located above the natural drainage line running through the property and is still likely to cause salinity to increase (Commissioner of Soil and Land Conservation, 2013). The Commissioner advised that there are only four small degraded areas of vegetation that could be cleared without causing increased salinity on the properties.

The area under application falls within the agricultural area defined in EPA Position Statement No. 2 (EPA 2000). EPA Position Statement No. 2 states that significant clearing of native vegetation has already occurred on agricultural land, leading to a reduction in biodiversity and increase in land salinisation, and therefore any further reduction in native vegetation through clearing for agriculture cannot be supported. The EPA (2000) recommends that all existing native vegetation be protected from passive clearing through, for example, grazing by stock or clearing by other means.

In exceptional circumstances the EPA would consider supporting clearing for agriculture within this region if:

(a) There are alternative mechanisms for protecting biodiversity.

(b) The area to be cleared is relatively small, depending on the scale at which biodiversity changes over the area, including extent of vegetation in the surrounding area and recognising that values will vary for different ecosystems.

(c) The proponent demonstrates that the elements set out in Section 4.3 of this Position Statement are being met. This will require extensive local and regional biodiversity work.

(d) Land degradation, including aquatic environments and threatening processes, such as dieback, salinisation or disruption of catchment processes, on-site and off-site would not be exacerbated.

With regard to these exceptions DEC has determined none have been met.

The Shire of Cranbrook (2012) has no comment on the proposed clearing.

An Aboriginal Site of Significance is mapped over the entire application areas. The applicant will be notified of their obligations under the Aboriginal Heritage Act 1972.

The application areas are zoned Rural under the Town Planning Scheme Zone.

#### Methodology

References:

Commissioner of Soil and Land Conservation (2013)

EPA (2000)

Shire of Cranbrook (2012)

GIS Databases:

- Aboriginal Sites of Significance

- Town Planning Scheme Zones

#### 4. References

- Commissioner of Soil and Land Conservation (2012); Land Degradation Advice and Assessment Report for clearing permit application CPS 5030/1 received 27 June 2012; Department of Agriculture and Food Western Australia (DEC REF A518309).
- Commissioner of Soil and Land Conservation (2013) Advice in response to the applicants amended application (20 hectares). Department of Agriculture and Food Western Australia (DEC REF A 557004).
- DEC (2007 - ) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed 14/5/2012.
- DEC (2012) Regional Advice for Clearing Permit Application CPS 5030/1, Lot 304 on Plan 129486, Lot 711 on Plan 80453, Lot 43 on Plan 102106, Lot 107 on Plan 119654, Lot 604 on Plan 141593, Lot 339 on Plan 141636, Lot 653 on Plan 145787, Lot 762 on Plan 145788, Lot 302, 303 & 344 on Plan 227128, Frankland River. Received 1/6/2012. Department of Environment and Conservation, Western Australia (DEC REF A519641).
- DEC (2013) Site Inspection Report for Clearing Permit Application CPS 5030/1, Lot 304 on Plan 129486, Lot 711 on Plan 80453, Lot 43 on Plan 102106, Lot 107 on Plan 119654, Lot 604 on Plan 141593, Lot 339 on Plan 141636, Lot 653 on Plan 145787, Lot 762 on Plan 145788, Lot 302, 303 & 344 on Plan 227128, Frankland River. Department of Environment and Conservation, Western Australia (DEC REF A607519).
- 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, Western Australia.
- Government of Western Australia (2011); 2011 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). WA Department of Environment and Conservation, Perth.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Pick, M (2007) Clearing permit application CPS 2027/1 received 2 August 2007, Department of Environment and Conservation (DEC REF 30235).
- 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.
- Shire of Cranbrook (2012) Advice for Clearing Permit Application CPS 5030/1, Lot 304 on Plan 129486, Lot 711 on Plan 80453, Lot 43 on Plan 102106, Lot 107 on Plan 119654, Lot 604 on Plan 141593, Lot 339 on Plan 141636, Lot 653 on Plan 145787, Lot 762 on Plan 145788, Lot 302, 303 & 344 on Plan 227128, Frankland River. Received 1/6/2012. Department of Environment and Conservation, Western Australia (DEC REF A512726).
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Environment and Conservation. <http://florabase.dec.wa.gov.au/> (Accessed 2/7/2012).



## 5. Glossary

Term	Meaning
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DRF	Declared Rare Flora
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community