



## 1. Application details

### 1.1. Permit application details

Permit application No.: 7089/1  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: B & J Catalano Pty Ltd

### 1.3. Property details

Property: LOT 8 ON DIAGRAM 43887, PARKFIELD  
Local Government: HARVEY, SHIRE OF  
Authority:  
DER Region: Greater Swan  
DPaW District: WELLINGTON  
Localities: PARKFIELD

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.29		Mechanical Removal	Extractive industry

### 1.5. Decision on application

Decision on Permit Application: Refusal  
Decision Date: 9 December 2016  
Reasons for Decision: On 23 May 2016 the applicant applied to clear 0.29 hectares of native vegetation for the purpose of extractive industry.

The clearing application has been assessed against the clearing principles in Schedule 5 of the Environmental Protection Act 1986. In accordance with section 51O, the Delegated Officer has also had regard to planning instruments and other matters considered relevant.

The clearing application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the *Environmental Protection Act 1986* (EP Act), and it has been concluded that the proposed clearing is not likely to be at variance to the clearing principles.

In determining to refuse to grant a clearing permit, the Delegated Officer has had regard to the advice of the Shire of Harvey and Department of Water that planning approval and a licence to take groundwater has not been obtained.

## 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
The vegetation under application is mapped as Beard vegetation association 998 which is described as a medium woodland, tuart (Shepherd et al, 2001).	The application is to clear 0.29 hectares of native vegetation within Lot 8 on Diagram 43887 purpose of limestone extraction.	Completely Degraded; No longer intact, completely/almost completely without native species (Keighery, 1994).	The condition of the vegetation under application was determined via a Department of Environment Regulation site inspection undertaken 6 July 2016 (DER, 2016).
The vegetation under application is mapped as Heddle vegetation Yoongarillup complex which is comprised of woodland to tall woodland and open forest (Heddle et al, 1980).			

## 3. Assessment of application against clearing principles

Comments: The application is to clear 0.29 hectares of native vegetation for the purpose of limestone extraction. A Department of Environment Regulation site inspection undertaken 6 July 2016 described the vegetation under application as six isolated *Agonis flexuosa* and four isolated *Eucalyptus gomphocephala* (tuart) with no native understorey (DER, 2016).

The site inspection noted that vegetation is isolated from other remnants of native vegetation, no western ringtail possum dreys were observed within the application area and although the tuart trees were of an age and size as to be considered potential black cockatoo nesting habitat, no suitable hollows were observed (DER, 2016). No watercourses or wetlands have been identified within the application area.

Given the completely degraded (Keighery, 1994) condition of the vegetation (DER, 2016), lack of understorey and as no nesting activity has been observed, the vegetation under application is not likely to impact on rare or priority flora, significant fauna habitat, a priority or threatened ecological community or conservation reserves within the local area and is not likely to be classified as clearing a significant remnant within a highly cleared landscape.

Given its completely degraded (Keighery, 1994) condition, small size, the lack of understorey and as no watercourses are present within or adjacent to the application area, the proposed clearing is not likely to contribute to or cause land degradation, deteriorate the quality of ground water or surface water and is not likely to cause or exacerbate flooding.

Given the above, the proposed clearing is not likely to be at variance to the clearing Principles.

#### Methodology

References:  
DER (2016)  
Keighery (1994)

GIS datasets:  
SAC Bio datasets accessed July 2016  
Hydrography linear

#### Planning instruments and other relevant matters.

**Comments** No Aboriginal Sites of Significance have been mapped within the application area.

The clearing permit application was advertised on 15 June 2016 with a 7 day submission period. No public submissions were received in relation to this application during this time. The clearing permit application was re-advertised on 27 June 2016 with a 7 day submission period. One public submission (2016) was received in relation to this application.

The submission received pertains to the potential of the application area to contain significant fauna habitat and the cumulative impacts of clearing within the surrounding landscape. The potential impacts to significant fauna habitat have been addressed in the assessment against the clearing Principles. As each clearing permit application is assessed against its individual environmental impact, the cumulative impacts of potential further clearing within the local area have not been taken into account.

The applicant has applied for an extractive Industry Licence from the Shire of Harvey which has not yet been obtained. The applicant has applied for a licence to take groundwater from the Department of Water which has not yet been obtained.

On 21 July 2016 a Delegated Officer of DER wrote to the applicant advising that the Department has not received a copy of the Shire of Harvey planning approval or licence to take ground water from the Department of Water. The applicant was advised that under section 51O(4) of the EP 1986, the Delegated Officer is required to have regard to any planning instrument or other matter considered relevant. The lack of planning approval and water licence is a relevant consideration. The applicant was provided three months from the date of the letter to provide a copy of the planning approval. The letter advised that in the absence of receiving a copy of the planning approval, it is likely that the application would be refused. At the date of this decision, a copy of the planning approval has not been provided.

#### Methodology

References:  
Public submission (2016)

GIS datasets:  
Aboriginal Sites of Significance

#### 4. References

- Department of Environment Regulation (2016) Site inspection report for clearing permit application CPS 7099/1. Undertaken 6 July 2016. DER ref: A1133922
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Public Submission (2016) Submission received in relation to clearing permit application CPS7089/1. Received 4 July 2016, DER ref: A1125416.
- Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.