



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 7112/1
<b>Permit Holder:</b>	Shire of Victoria Plains
<b>Duration of Permit:</b>	20 October 2016 - 20 October 2026

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

### PART I – CLEARING AUTHORISED

- 1. Land on which clearing is to be done**  
Lot 4110 on Deposited Plan 217183 (Reserve 8588), Mogumber
- 2. Purpose for which clearing may be done**  
Clearing for the purpose of a rodeo and associated activities.
- 3. Area of Clearing**  
The Permit Holder shall not *parkland clear* more than 2.059 hectares of native vegetation within the areas cross-hatched yellow and cross-hatched red on attached Plan 7112/1. No trees are authorised to be cleared.
- 4. Application**  
This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to *parkland clear* native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.
- 5. Type of clearing authorised**  
This Permit authorises the Permit Holder to *parkland clear* native vegetation for the activities described in condition 1 of this Permit to the extent that the Permit Holder has the power to carry out works involving clearing for those activities under the *Local Government Act 1995* or any other written law.

### PART II – MANAGEMENT CONDITIONS

- 6. Fauna management**  
The Permit Holder must ensure that clearing in the area cross-hatched red on attached Plan 7112/1 is not carried out between 1 July and 30 December.
- 7. Weed control**  
When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds*:
  - (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
  - (b) ensure that no *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.

## DEFINITIONS

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

*dieback* means the effect of *Phytophthora* species on native vegetation;

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

*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;

*parkland clear* means the clearing of shrubs, herbs and grasses, and excludes the clearing of tree species;

*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 Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



---

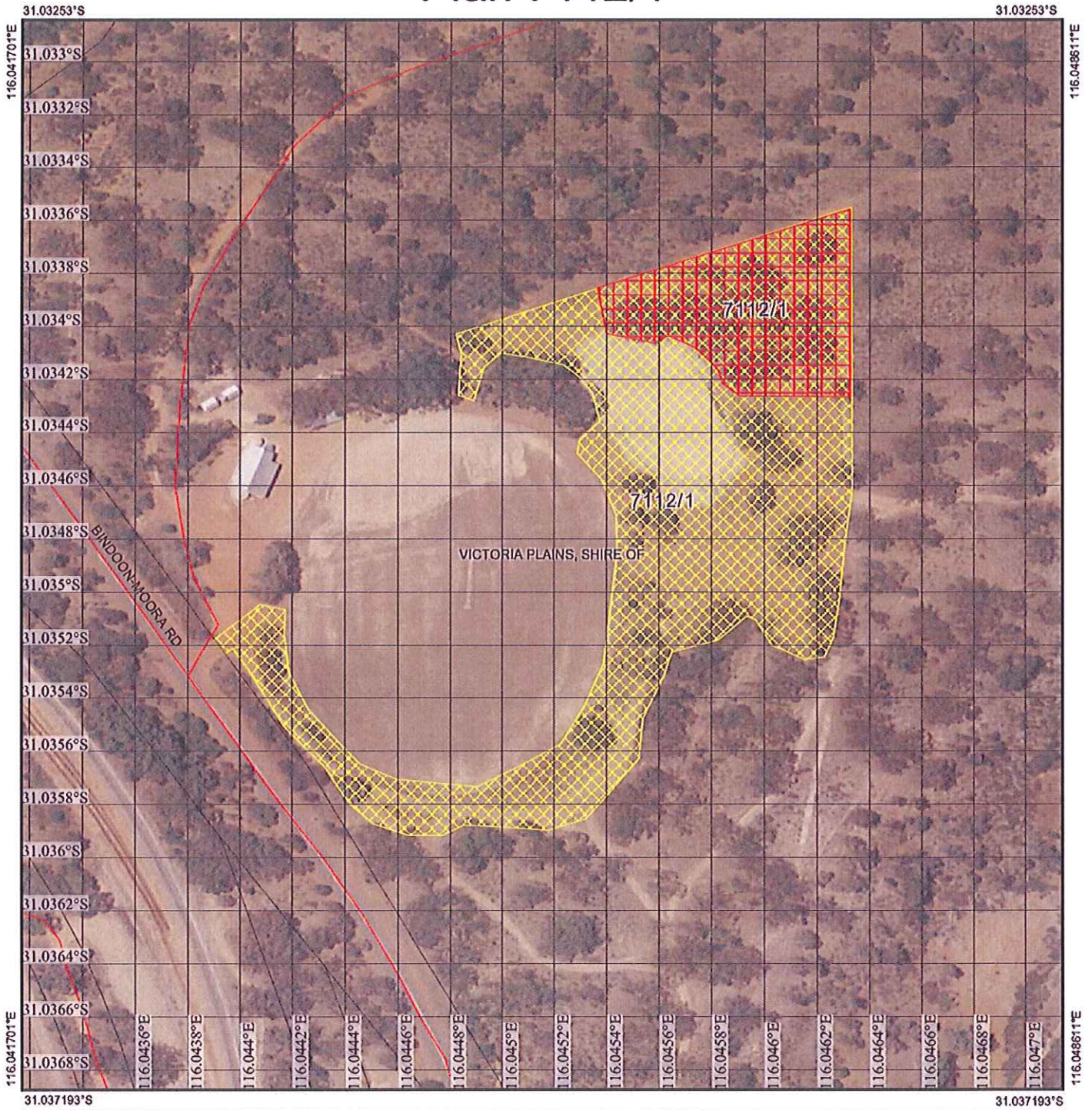
Kelly Faulkner  
EXECUTIVE DIRECTOR  
LICENSING AND APPROVALS

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

22 September 2016



# Plan 7112/1



## Legend

-  Roads
-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority
-  Clearing Instruments Conditions
-  Cadastre

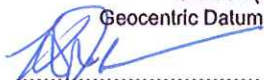


1:2,000

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

 Date 22/9/16

Kelly Faulkner

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



GOVERNMENT OF  
WESTERN AUSTRALIA  
WA Crown Copyright 2016





## 1. Application details

### 1.1. Permit application details

Permit application No.: 7112/1  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: Shire of Victoria Plains

### 1.3. Property details

Property: Lot 4110 on Deposited Plan 217183 (Reserve 8588), Mogumber  
Local Government Authority: Shire of Victoria Plains  
DER Region: Greater Swan  
DPaW District: Central Wheatbelt  
LCDC:  
Localities: Mogumber

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2.059		Recreational use	Rodeo and associated activities

### 1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 22 September 2016

Reasons for Decision: The clearing permit application is to maintain a parkland cleared area of 2.059 hectares of native vegetation for the purpose of a rodeo and associated activities. This application was received on 8 June 2016.

The clearing permit application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986*.

In considering the application, the Delegated Officer determined that the management order within Reserve 8588 for recreation, racecourse and hallsite and the existing use of the reserve for this purpose is a relevant matter.

The Delegated Officer determined that the proposed clearing may be at variance to Principles (b) and (e), is not likely to be at variance to Principles (a), (c), (d), (g), (h), (i) and (j), and is not at variance to Principle (f).

Through assessment it has been determined that the application area contains nesting habitat for Carnaby's cockatoo, and that the method of clearing will increase the risk of spreading weeds into adjacent native vegetation.

To avoid impacts to Carnaby's cockatoo, clearing in the area containing nesting habitat is limited to outside the nesting season for this species.

The Delegated Officer considered that the implementation of suitable weed management measures was appropriate to address the impacts of the proposed clearing.

State and other relevant policies have been taken into consideration in this decision.

## 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
One Beard vegetation association has been mapped within the application area.	The applicant has proposed to parkland clear up to 2.059 hectares of native vegetation for the purpose of a rodeo and associated activities.	Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994);	The clearing permit application is to maintain existing cleared areas in order to facilitate public rodeo events. The method of clearing includes car, pedestrian and animal traffic during these rodeo events. No trees are proposed to be cleared (Shire of Victoria Plains, 2016).
Beard vegetation association 4 is described as medium woodland; marri and wandoo (Shepherd et al., 2001).		To:  Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).	Vegetation condition was determined during a site inspection undertaken by officers of the Department of Environment Regulation (DER) on 3 August 2016 (DER, 2016).  The majority of vegetation within the application area is in a degraded to completely degraded (Keighery, 1994) condition, and has been recently cleared. Approximately 0.03 hectares along the south-western boundary of the application area encroaches into vegetation that has not been recently cleared, and is in good (Keighery, 1994) condition (DER, 2016).  Woodchips have been spread across the majority of the application area, however regrowth of cleared areas was observed during a site inspection within areas both with and without woodchips (DER, 2016). The diversity of regrowth vegetation is higher in areas that have not been spread with woodchips (DER, 2016). The application area has a low level of weed invasion (DER, 2016).

## 3. Assessment of application against clearing principles

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

Comments	Proposed clearing is not likely to be at variance to this Principle
	<p>The applicant proposes to clear up to 2.059 hectares of native vegetation within Lot 4110 on Deposited Plan 217183 (Reserve 8588), Mogumber, to maintain previously cleared areas for the purpose of a rodeo and associated activities. No trees are proposed to be cleared. The method of clearing proposed by the applicant is via recreational use of the application area during rodeo events, including vehicle, human and animal traffic (Shire of Victoria Plains, 2016).</p> <p>The application area is located within Reserve 8588, which is vested with the Shire of Victoria Plains for the purpose of recreation, racecourse and hallsite. Excluding the application area, vegetation within this reserve is in very good (Keighery, 1994) condition (DER, 2016).</p> <p>The majority of the application area has been parkland cleared and is in a degraded to completely degraded (Keighery, 1994) condition, with midstorey and understorey flora species occurring as regrowth vegetation (DER, 2016). The diversity of regrowth vegetation is higher in areas that have not been spread with woodchips (DER, 2016). A small portion along the south-western boundary of the application area (approximately 0.03 hectares) is not parkland cleared and is in good (Keighery, 1994) condition (DER, 2016).</p> <p>The proposed method of clearing will introduce horse manure and hay into the application area, which increases the risk of spreading weeds into adjacent native vegetation. Weeds can decrease the biodiversity value of an area, as they out-compete native vegetation for available resources, contribute to land degradation and increase the frequency and intensity of fires (DEC, 2011). Potential impacts from weeds may be minimised by the implementation of weed management practices.</p>

A total of 11 rare and 40 priority flora species have been recorded within the local area (10 kilometre radius). Of these, based on the habitat type present, two rare and 22 priority flora species may occur within the vegetation surrounding the application area, or within the application area as regrowth vegetation (Western Australian Herbarium, 1998-). According to available databases, one rare and three priority flora species have been recorded within Reserve 8588. Given the presence of vegetation in very good (Keighery, 1994) condition elsewhere in Reserve 8588 and the degraded to completely degraded (Keighery, 1994) condition of vegetation within the majority of the application area, the application area is not likely to contain significant habitat for rare or priority flora. The application area does not represent an area of high floristic diversity compared to the surrounding vegetation within Mogumber Reserve 8588 (DER, 2016).

One threatened and one priority ecological community (TEC and PEC) have been mapped within the local area, both of which are associated with clay pans. The application area does not contain a clay pan, and is therefore not likely to contain either of these ecological communities. The application area does not occur within the distribution of the 'eucalypt woodlands of the Western Australian Wheatbelt' TEC listed as critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) (Department of Parks and Wildlife [Parks and Wildlife], 2016).

According to available databases, one threatened, three priority and four migratory fauna species have been recorded within the local area (Parks and Wildlife, 2007-). Of these, the application area is known to be used by Carnaby's cockatoo (*Calyptorhynchus latirostris*; rare or likely to become extinct under the *Wildlife Conservation Act 1950*) for nesting activities. The wandoo trees within the application area also provide suitable foraging and roosting habitat for Carnaby's cockatoo (Valentine and Stock, 2008).

Although the application area provides nesting, roosting and foraging habitat for Carnaby's cockatoo, it is not proposed to clear trees that provide this habitat.

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

**Methodology**    References:  
DEC (2011)  
DER (2016)  
Keighery (1994)  
Parks and Wildlife (2007-)  
Shire of Victoria Plains (2016)  
Valentine and Stock (2008)  
Western Australian Herbarium (1998-)

GIS Database:  
- SAC bio databases (accessed August 2016)

**(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**    **Proposed clearing may be at variance to this Principle**  
The majority of the application area has been parkland cleared, and contains lower value fauna habitat compared to the surrounding vegetation within Reserve 8588. During the site inspection, the regrowth of native vegetation was observed within previously cleared areas, ranging from a low diversity to moderate diversity of flora species in different parts of the application area (DER, 2016). Fauna habitat values may increase as the regrowth of native vegetation continues.

The Mogumber bush cricket (*Throscodectes xederoides*; priority 3) has been recorded in the local area (10 kilometre radius) (Parks and Wildlife, 2007-). In its current parkland-cleared state, the application area is not likely to provide suitable habitat for this species. While the continued regrowth of vegetation may increase the habitat suitability of the application area for this species, given the availability of good quality habitat elsewhere within Reserve 8588, the application area is not likely to represent significant habitat for this species.

The application area is known to be used by Carnaby's cockatoo (DER, 2016; Parks and Wildlife, 2016), and Parks and Wildlife advised that the bushland surrounding the application area (Reserve 8588) is critical habitat for Carnaby's cockatoo due to the presence of both nesting and foraging habitat (Parks and Wildlife, 2016).

Three artificial nesting boxes for Carnaby's cockatoo are located in vegetation adjacent to the application area, which appeared to be in use during the site inspection conducted in August 2016 by DER officers (DER, 2016). During a site visit by Parks and Wildlife on 4 September 2015, four male/female pairs of Carnaby's cockatoo were observed and were considered to be nesting in native vegetation adjacent to the application area, including the use of three artificial hollows (Parks and Wildlife, 2016). A tree with a hollow suitable for nesting by Carnaby's cockatoo was identified within the application area during the site inspection (DER, 2016), and information provided to DER during the submission period indicates that this hollow is used for nesting by Carnaby's cockatoo (Submission, 2016). Impacts to Carnaby's cockatoo may be minimised by restricting clearing in areas that provide nesting habitat to outside the nesting season for this species.

The mature trees within the application area include wandoo and *Acacia* sp. (DER, 2016). The wandoo trees surrounding nesting hollows are a known foraging resource for Carnaby's cockatoo (Valentine and Stock, 2008), are likely to provide shelter to the nesting hollows, and provide roosting habitat for adult Carnaby's cockatoos.

The applicant has advised that trees within the application area are not proposed to be cleared (Shire of Victoria Plains, 2016). This will assist in mitigating direct impacts to Carnaby's cockatoo habitat. Parks and Wildlife recommended that the Shire of Victoria Plains investigate the relocation of the artificial nesting hollows to another appropriate area within Reserve 8588 (Parks and Wildlife, 2016).

Given the above, the proposed clearing may be at variance to this principle.

**Methodology**   References:  
DER (2016)  
Keighery (1994)  
Parks and Wildlife (2007-)  
Parks and Wildlife (2016)  
Shire of Victoria Plains (2016)  
Submission (2016)  
Valentine and Stock (2008)

**(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.**

**Comments   Proposed clearing is not likely to be at variance to this Principle**

Vegetation within the application area is mapped as Beard vegetation association 4: medium woodland of marri and wandoo (Shepherd et al., 2001). A site inspection found that the majority of vegetation within the application area is in a degraded to completely degraded (Keighery, 1994) condition, with approximately 0.03 hectares along the south-western boundary in good (Keighery, 1994) condition (DER, 2016). The majority of the application area has been parkland cleared, with regrowth of native vegetation occurring (DER, 2016).

A total of 11 rare flora species have been recorded within 10 kilometres of the application area, two of which are associated with the pre-cleared vegetation and soil type mapped within the application area (Western Australian Herbarium, 1998-). Available databases contain a record for one rare flora species within Reserve 8588, however this species is associated with a habitat type that does not occur within the application area. Information provided in a submission to DER states that a species of rare flora has been recorded in the area (Submission, 2016), however the proximity of this record to the application area is unclear. A site inspection identified that the vegetation is unlikely to contain suitable habitat for rare flora (DER, 2016).

Given that the majority of the application area is in a degraded to completely degraded (Keighery, 1994) condition, the application area is not likely to contain habitat for rare flora species. The proposed clearing is not likely to be at variance to this Principle.

**Methodology**   References:  
DER (2016)  
Keighery (1994)  
Shepherd et al. (2001)  
Submission (2016)  
Western Australian Herbarium (1998-)

GIS Databases:  
- Pre-European vegetation  
- SAC bio datasets (accessed August 2016)  
- Soils, statewide

**(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   Proposed clearing is not likely to be at variance to this Principle**

There is one threatened ecological community (TEC) mapped within 10 kilometres of the application area, identified as 'herb rich saline shrublands in clay pans'. Based on the absence of clay pans and saline shrublands within the application area, the vegetation within the application area is not representative of this TEC (DER, 2016).

The application area contains parkland cleared woodland vegetation (DER, 2016), but is not within the distribution of the 'eucalypt woodlands of the Western Australian Wheatbelt' TEC listed as critically endangered under the EPBC Act. This TEC extends across the Merredin and Katanning subregions of the Avon Wheatbelt Interim Biogeographic Regionalisation of Australia (IBRA) bioregion, the Western Mallee subregion of the Mallee IBRA bioregion, and in the easternmost part of the Jarrah Forest IBRA bioregion around Wandering, Williams, Kojonup and Mount Barker (Threatened Species Scientific Committee [TSSC], 2015). The application area is located outside this area, within the Northern Jarrah Forest subregion of the Jarrah Forest IBRA region.

Given the above, vegetation within the application area is not considered to comprise the whole or a part of, or necessary for the maintenance of any TEC, and the proposed clearing is not likely to be at variance to this Principle.

**Methodology** References:  
DER (2016)  
TSSC (2015)

GIS Databases:  
- SAC bio datasets (accessed August 2016)

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

The application area is located within the Jarrah Forrest IBRA bioregion, within which approximately 54 per cent of the pre-European vegetation remains (Government of Western Australia, 2015). The Shire of Victoria Plains retains 15 per cent of its pre-European vegetation, and 23 per cent of pre-European native vegetation (7,288 hectares) remains within the local area (10 kilometre radius). Reserve 8588 has been previously disturbed by the creation of access tracks, cleared areas to the north and south and south of the application area, and the oval and associated infrastructure adjacent to the application area. Given the amount of vegetation remaining within the Shire of Victoria Plains and the local area, the application area is considered to occur within an extensively cleared area.

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). Remnant vegetation mapped as Beard vegetation association 4 is limited to approximately 28 per cent within the Jarrah Forrest, with 23 per cent protected within conservation areas managed by Parks and Wildlife (Government of Western Australia, 2015). While the majority of the application area has been parkland cleared, a moderate diversity of native vegetation was observed to be recolonising cleared areas during the site inspection (DER, 2016).

Parks and Wildlife advised that the bushland surrounding the application area (Reserve 8588) is critical habitat for Carnaby's cockatoo due to the presence of foraging and nesting habitat (Parks and Wildlife, 2016).

The mature trees within the application area include wandoo and *Acacia* sp. (DER, 2016). The wandoo trees surrounding nesting hollows provide suitable foraging and roosting habitat (Valentine and Stock, 2008), and are likely to provide shelter to the nesting hollows used by Carnaby's cockatoos.

Given that the application area is within an extensively cleared landscape and contains habitat for Carnaby's cockatoo, the proposed clearing may be at variance to this principle.

	Pre-European (ha)	Current Extent (ha)	Remaining (%)	Extent in Parks and Wildlife Managed Lands (%)
IBRA Bioregion* - Jarrah Forrest	4,506,660.26	2,422,783	54	69
Shire* - Shire of Victoria Plains	255,060	38,226	15	3
<b>Beard Vegetation Association in Bioregion*</b>				
4	1,022,713	286,845	28	23

**Methodology** References:  
Commonwealth of Australia (2001)  
DER (2016)  
\*Government of Western Australia (2015)  
Parks and Wildlife (2015)  
Parks and Wildlife (2016)  
Shire of Victoria Plains (2016)  
Submission (2016)  
Valentine and Stock (2008)

GIS Databases:  
- Imagery  
- Remnant vegetation



**(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 Proposed clearing is not at variance to this Principle**

Vegetation within the application area is mapped as medium woodland of marri and wandoo (Shepherd et al., 2001). A site inspection found wandoo and *Acacia* sp. trees within the application area, which indicates that the mapped vegetation type accurately represents pre-European vegetation at this location (DER, 2016).

No watercourses or wetlands are mapped within the application area. The nearest watercourse is the east branch of the Moore River, which is located 190 metres north of the cleared area. The vegetation within the application area is not considered to be growing in association with a watercourse or wetland.

Given the above, proposed clearing is not at variance to this principle.

**Methodology** References:  
DER (2016)  
Shepherd et al. (2001)

GIS Database:  
- Hydrography, linear

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

**Comments Proposed clearing is not likely to be at variance to this Principle**

The application area is located on flat terrain, with chief soils of hard acidic and neutral yellow mottled soils, with some lateritic gravel at the junction of the surface and subsoil (Northcote et al 1960 - 1968). These soils are not likely to be susceptible to land degradation via wind or water erosion.

The groundwater salinity within application area has been recorded between 3,000 to 7,000 milligrams of total dissolved solids per litre.

There are no wetlands or watercourses within or adjacent to the application area.

The proposed clearing of regrowth understorey and midstorey native vegetation is not likely to cause land degradation via salinity, eutrophication or waterlogging.

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

**Methodology** References:  
Northcote et al. (1960-68)

GIS Database:  
- Groundwater salinity, statewide  
- Hydrography, linear  
- Topographic contours, 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 Proposed clearing is not likely to be at variance to this Principle**

The application area is within Reserve 8588, which is vested in the Shire of Victoria Plains with management orders for the purpose of recreation, racecourse and hall site.

The closest conservation areas to the application area are the Mogumber Nature Reserve, located 2.7 kilometres south of the application area, and the Mogumber West Nature Reserve, located 3.4 kilometres north-west of the application area.

The application area and nature reserve occur within a highly cleared landscape used for agricultural purposes, and as a result are separated by large areas of cleared land. The application area does not comprise a significant link to this conservation area, and from this distance the clearing is not likely to impact the environmental values of the nature reserve.

Given on the above, the proposed clearing is not likely to be at variance to this principle.

**Methodology** GIS Databases:  
- Parks and Wildlife Tenure  
- Imagery

**(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 Proposed clearing is not likely to be at variance to this Principle**

There are no wetlands or watercourses within or adjacent to the application area, and the clearing is not likely to cause deterioration in the quality of surface water.

Groundwater salinity within the application area is estimated to be between 3,000-7,000 milligrams/litre total dissolved solids, which is considered marginally saline. The proposed clearing of regrowth understorey and midstorey native vegetation is not likely to impact the quality of groundwater.

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

**Methodology GIS Databases:**

- Groundwater salinity, statewide
- Hydrography, linear

**(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.**

**Comments Proposed clearing is not likely to be at variance to this Principle**

The application area occurs on flat terrain, and contains hard acidic and neutral soils, with some lateritic gravel (Northcote et al., 1960-68). Mean annual rainfall in Walebing, the nearest weather station to the application area, is approximately 476 millimetres (BoM, 2016). According to available databases, the annual evapotranspiration rate within the application area is approximately 600 millimetres.

Based on the level of annual rainfall and evapotranspiration and the mostly degraded to completely degraded (Keighery, 1994) condition of vegetation, the proposed clearing is not likely to cause or exacerbate the incidence or intensity of flooding and the clearing is not likely to be at variance to this Principle.

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

**Methodology References:**

- BoM (2016)
- Keighery (1994)
- Northcote et al. (1960-68)

**GIS Database:**

- Evapotranspiration

**Planning instruments and other relevant matters.**

**Comments** Lot 4110 on Deposited Plan 217183 (Reserve 8588), Mogumber, is a reserve under management order vested with the Shire of Victoria Plains for the purpose of recreation, racecourse and hallsite.

The applicant proposes to clear up 2.059 hectare of regrowth native vegetation for the purpose of a rodeo and associated activities, which is consistent with the vesting purposes of the Reserve. The method of clearing includes car, pedestrian and animal traffic during rodeo events. No trees are proposed to be cleared (Shire of Victoria Plains, 2016).

It is noted that a fence has been erected along the northern and eastern boundary of the application area to protect adjacent native vegetation within Reserve 8588 (DER, 2016).

The applicant has applied for two previous clearing permits for the purpose of a rodeo within Reserve 8588, Mogumber. Clearing permit CPS 6172/1 was granted on 21 August 2014, authorising the clearing of up to 0.27 hectares of native vegetation. Approximately 0.19 hectares of the permit footprint is located within the application area of CPS 7112/1. This permit expires on 20 September 2016.

Clearing permit application CPS 6309/1 applied to clear up to 0.5 hectares of native vegetation, approximately 0.2 hectares of which is located within the application area of CPS 7112/1. This application was withdrawn on 12 November 2014.

Two investigations into alleged unauthorised clearing have been undertaken by DER. The first investigation (ICMS 30618) was undertaken in 2013 for the alleged clearing of one hectare, part of which intersects the current application area. The second investigation (ICMS 36783) was undertaken in 2015 for the alleged clearing of 0.8 hectares, which occurred within the current application area. Both investigations have been closed. The current application is for the maintenance of the area allegedly cleared in 2015.

The clearing permit application was advertised in *The West Australian* on 11 July 2016 for a 21 day submission period. Submissions received within the specified submission period raised the following matters:

- Impacts to an area with high flora value, including impacts to rare flora species;
- Impacts to Carnaby's cockatoo;
- Impacts to the Mogumber bush cricket;
- Impacts to a significant remnant of native vegetation within an extensively cleared area;
- Impacts to an area of high cultural significance, including a significant site for the Yued Native Title claimants; and
- Previous breaches of the *Environmental Protection Act 1986* (EP Act) by the applicant.

These matters have been considered in the assessment of this application.

The application area is located within an Aboriginal Site of Significance (Gingin Brook Waggyl Site). It is the applicant's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

The South West Aboriginal Land and Sea Council (SWALSC), representing the Yued Working Party (YWP), advised that the YWP strongly opposes any further clearing by the Shire of Victoria Plains within Reserve 8588 (SWALSC, 2016). The SWALSC advised that the YWP are pursuing a Cultural Heritage Management Plan for Reserve 8588 due to its significant heritage, environmental, historical, community and social values, and are concerned that their rights and interests are being adversely impacted by the activities within this reserve (SWALSC, 2016). The SWALSC (2016) also advised that the legal procedures under the *Aboriginal Heritage Act 1972* are required to be followed for any proposed ground disturbing activities within the Gingin Brook Waggyl registered Site of Significance, which include heritage surveys and consultation with the Yued people.

**Methodology**    References:  
Shire of Victoria Plains (2016)  
SWALSC (2016)

GIS Databases:  
- Sites of Aboriginal Significance

#### 4. References

- Bureau of Meteorology (BoM) (2016). Climate Statistics for Australian Locations. A Search for Climate Statistics for Walebing Australian Government Bureau of Meteorology, <http://www.bom.gov.au/climate/shtml> (Accessed August 2016).
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Department of Environment and Conservation (DEC) (2011) Invasive Plant Prioritisation, Department of Environment and Conservation, Perth.
- Department of Environment Regulation (DER) (2016) CPS 7112/1 Site inspection report. Department of Environment Regulation. DER REF: A1156149.
- Department of Parks and Wildlife (Parks and Wildlife) (2007-) Naturemap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife, Perth. <http://naturemap.dpaw.wa.gov.au/default.aspx> (Accessed August 2016).
- Department of Parks and Wildlife (Parks and Wildlife) (2015) 2015 South West Forest and Swan Coastal Plain Vegetation Complex Statistics: a report prepared for the Department of Environment Regulation. Current as of March 2015. Department of Parks and Wildlife, Perth, Western Australia.
- Department of Parks and Wildlife (Parks and Wildlife) (2016) Advice received from the Department of Parks and Wildlife on 17 August 2016. DER REF: A1153518.
- Government of Western Australia (2015) 2015 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2015. WA Department of Parks and Wildlife, 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.
- 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., 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.
- Shire of Victoria Plains (2016) Further information provided to the assessing officer on 18 August 2016. DER REF: A1153517.
- Submission (2016) Submission received by the Department of Environment Regulation on 31 July 2016. DER REF: A1140563.
- South West Aboriginal Land and Sea Council (SWALSC) (2016) Advice received from the South West Aboriginal Land and Sea Council on 22 August 2016. DER REF: A1152153.
- Threatened Species Scientific Committee (TSSC) (2015). Approved Conservation Advice (including listing advice) for the Eucalypt Woodlands of the Western Australian Wheatbelt. Department of the Environment. Url: <http://www.environment.gov.au/biodiversity/threatened/communities/pubs/128-conservation-advice.pdf>. Accessed August 2016.
- Valentine, L. E and Stock, W. (2008) Food resources of Carnaby's black-cockatoo (*Calyptorhynchus latirostris*) in the Gngangara Sustainability Strategy study area. Report to Forest Products Commission. Edith Cowan University and the Department of Environment and Conservation.
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Parks and Wildlife. <http://florabase.dpaw.wa.gov.au/> (Accessed September 2016).