



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 7162/1
Permit Holder:	Ricon Super Pty Ltd
Duration of Permit:	26 July 2017 to 26 July 2022

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

1. Purpose for which clearing may be done

Clearing for the purpose of horticulture.

2. Land on which clearing is to be done

Lot 210 on Deposited Plan 53166, Cowalla

3. Area of Clearing

The Permit Holder must not clear more than 1.3 hectares of native vegetation within the area hatched yellow on attached Plan 7162/1.

4. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

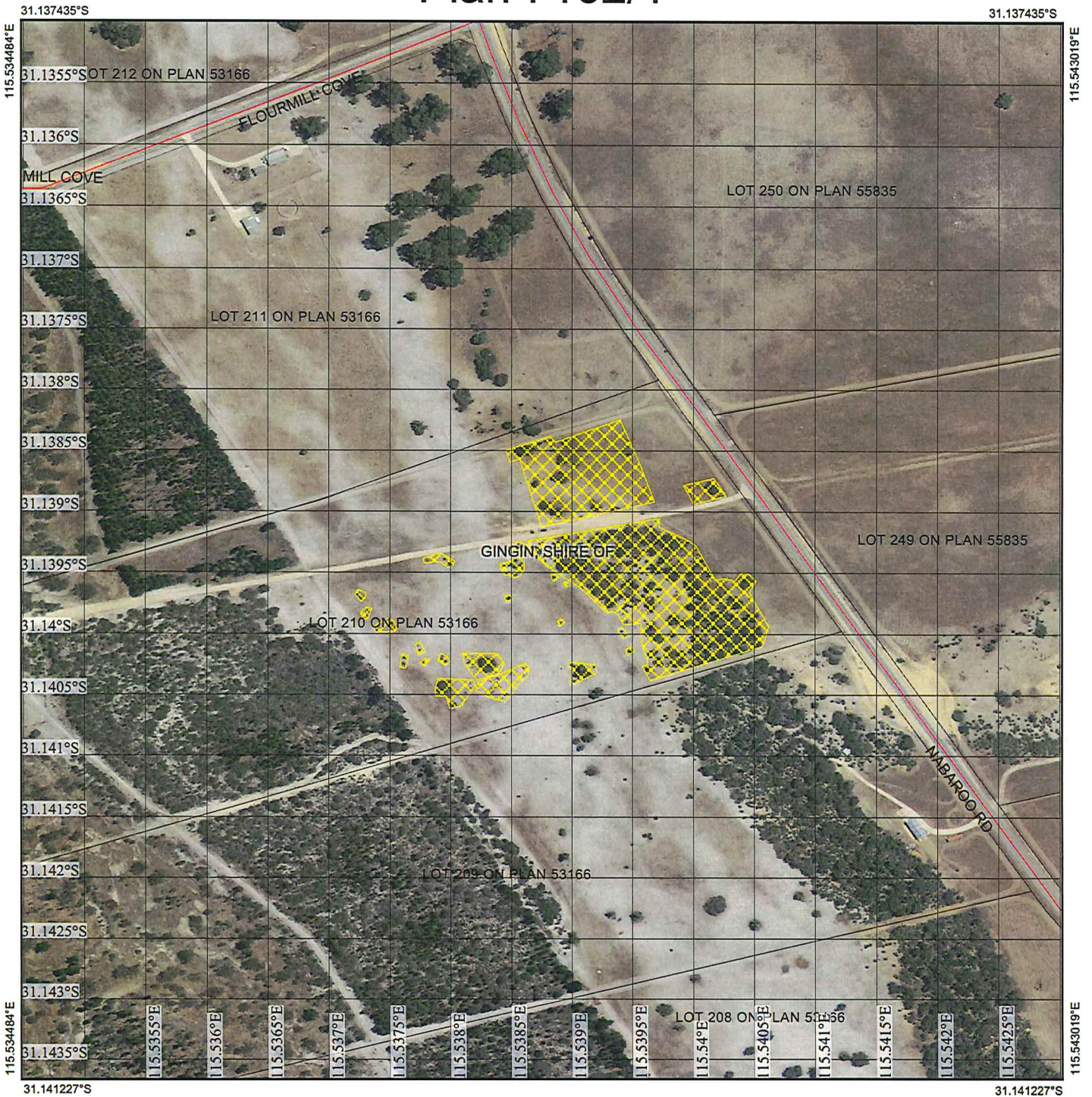
A handwritten signature in blue ink, appearing to read "J Widenbar", written over a horizontal line.

James Widenbar
MANAGER
CLEARING REGULATION

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

28 June 2017

Plan 7162/1



Legend

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



0  200m

1:4,312

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

Swizman Date *28/6/17*

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



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1. Application details

1.1. Permit application details

Permit application No.: 7162/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: RICON Super Pty Ltd

1.3. Property details

Property: LOT 210 ON DEPOSITED PLAN 53166, COWALLA
Local Government Authority: GINGIN, SHIRE OF
DER Region: Greater Swan
DPaW District: SWAN COASTAL
Localities: COWALLA

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Granted

Decision Date: 28 June 2017

Reasons for Decision: The clearing permit application received on 7 June 2016 has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the *Environmental Protection Act 1986*. It has been concluded that the proposed clearing is not likely to be at variance to any of the clearing principles.

Through assessment the Delegated Officer determined that the clearing is unlikely to have any significant environmental impacts. The Delegated Officer had regard to the planning approval issued for the proposed activity by the Shire of Gingin.

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:	The application is to clear 1.3 hectares of native vegetation within Lot 210 on Deposited Plan 53166, Cowalla, for the purpose of horticulture.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994) To Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).	The condition and description of the vegetation within the application area was determined by a site inspection undertaken by Department of Environment Regulation Officers on 13 July 2016 (DER, 2016).
<ul style="list-style-type: none"> Heddle Moore River vegetation complex is comprised of fringing woodland of <i>Eucalyptus rudis</i> (Flooded Gum) - <i>Melaleuca raphiophylla</i> (Swamp Paperbark) (Heddle et al., 1980). 			

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

The applicant has applied to clear 1.3 hectares of native vegetation within a footprint area of 2.162 hectares located within Lot 210 on Deposited Plan 53166, Cowalla, for the purpose of horticulture. The vegetation ranges from completely degraded to good (Keighery, 1994) condition (DER, 2016).

The application area on the northern side of the existing track has been parkland cleared and is in a completely degraded (Keighery, 1994) condition (DER, 2016). The application area consists of scattered *Banksia menziesii*, *Eucalyptus marginata* and *Xanthorrhoea preissii* over an understorey dominated by exotic grasses (DER, 2016).

The application area on the southern side of the existing track is low open *Banksia menziesii* woodland with *Eucalyptus marginata* and *Nuytsia floribunda* over predominately *Xanthorrhoea preissii* and a few *Banksia sessilis*, *Acacia Pulchella*, *Jacksonia* sp. emerging throughout the midstorey. The groundcover consisted of a mix of native sedges and weeds. The vegetation in this area ranges from a degraded to good (Keighery, 1994) condition (DER, 2016). A patch of vegetation located in the south eastern corner of the application area is in a good (Keighery, 1994) condition (DER, 2016).

Five priority flora species have been recorded in the local area (10 kilometre radius). The closest of these, is a priority 3 species known as '*Leucopogon* sp. Yanchep (M.Hislop 1986)' mapped approximately one kilometre south west of the application area. This species is an erect shrub, 0.15 to one metre high with a preference for light grey-yellow sand, brown loam, limestone, laterite or granite soils in coastal plain, breakaways, valley slopes or low hills areas (Western Australian Herbarium, 1998-). Noting the habitat requirements for this species, suitable habitat may occur within the application area. However, given the high level of weed infestation and that priority 3 species are generally known from collections from several different localities not under imminent threat (Department of Parks and Wildlife, 2014), it is not likely that the proposed clearing will impact on the conservation status of this species.

The vegetation within the application area is likely to provide suitable foraging habitat for the Carnaby's cockatoo (*Calyptorhynchus latirostris*), listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950*. Fauna are discussed further under Principle (b).

According to available databases, no threatened or priority ecological communities occur within the local area (10 kilometre radius).

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

Methodology

References:

Department of Environment Regulation (2016)
Department of Parks and Wildlife (2014)
Keighery, B.J. (1994)
Western Australian Herbarium (1998-)

GIS Databases:

SAC Bio Datasets (Accessed June 2017)
NLWRA, Current Extent of Native Vegetation

(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 is not likely to be at variance to this Principle

Six fauna species of conservation significance have been recorded within the local area (10 kilometre radius) (Department of Parks and Wildlife, 2007-). The application area is likely to provide suitable habitat for one of these, Carnaby's cockatoo (*Calyptorhynchus latirostris*). This species is listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950* and endangered under the *Environment Protection and Biodiversity Conservation Act 1999*.

Carnaby's cockatoo forage on the seeds, nuts and flowers of a large variety of plants including proteaceous species (*banksia*, *hakea*, *grevillea*), as well as *allocasuarina* and *eucalyptus* species, *Corymbia calophylla* and a range of introduced species (Valentine and Stock, 2008).

A site inspection of the application area described the vegetation under application as low *banksia* woodland that consists of *Banksia menziesii*, *Eucalyptus marginata* and *Nuytsia floribunda*, a mid-storey of *Xanthorrhoea preissii*, *Banksia sessilis*, *Acacia Pulchella*, *Jacksonia* sp. over an understorey of sedges and exotic weeds (DER, 2016). Given this, it is considered that suitable foraging habitat occurs within the application area, it is not likely to provide significant foraging habitat given the condition and size of the application area, and that vegetation of a better condition is located within the extensive Gngangara-Moore State Forest (comprising approximately 7,000 hectares) located 1.9 kilometres west of the application area. The applicant has advised that they will be retaining any larger trees within the area of good (Keighery, 1994) condition vegetation located

in the south eastern corner of the application area.

Potential habitat trees for black cockatoo species have a diameter at average adult human chest height of greater than 50 centimetres. Suitable habitat trees generally contain dead limbs and broken crowns that are likely to contain hollows and roosts suitable for native fauna. A site inspection of the application area (DER, 2016) did not observe hollows of a suitable size for Carnaby's cockatoo breeding.

The application area is located on the edge of a linear remnant patch of vegetation within a fragmented landscape that does provide an ecological linkage between areas of remnant vegetation. Given the limited connectivity of the application area within the local area it is not likely to be significant in the movement of indigenous fauna through the landscape.

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

Methodology References:
Department of Environment Regulation (2016)
Keighery, B.J. (1994)
Department of Parks and Wildlife (2007-)
Valentine and Stock (2008)

GIS Databases:
SAC Bio Datasets (Accessed June 2017)

(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

A search of the Department of Parks and Wildlife's rare flora database, revealed that one species of conservation significance is known to occur within the local area (10 kilometre radius), located approximately 9.3 kilometres from the application area. The preferable habitat for this species is in shallow soils over limestone on slopes or gullies of limestone ridges and outcrops, where it emerges from heath and thicket of parrot bush and chenille honey-myrtle (Western Australian Herbarium, 1998-; Brown et al., 1998). Noting the habitat requirements for this species and the vegetation and soil types found within the application area, it is unlikely that the application area will contain suitable habitat for this species.

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

Methodology References:
Brown et al. (1998)
Western Australian Herbarium (1998-)

GIS Databases:
SAC Bio Datasets (Accessed June 2017)

(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

According to available databases, there are no threatened ecological communities (TEC) mapped within the local area (10 kilometre radius), therefore the application area is not likely to comprise the whole or part of, or be necessary for the maintenance of a TEC.

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

Methodology GIS Databases:
SAC Bio Datasets (Accessed June 2017)

(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 is not likely to be at variance to this Principle

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

The local area (10 kilometre radius surrounding the application area) retains approximately 57.75 per cent native vegetation cover.

As indicated in Table 1, the remaining extents of native vegetation within the local government authority, the IBRA bioregion and the mapped vegetation association are above the minimum 30 per cent representation threshold (Government of Western Australia 2016; Government of Western Australia 2017). The application area is unlikely to be significant as a remnant within an extensively cleared area.

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

Table 1: Vegetation extents

	Pre-European (ha)	Current Extent (ha)	Remaining (%)	% Current Extent in All DPaW-Managed Land (proportion of Current Extent)	Current percentage remaining within all DPaW managed land* (%)
IBRA Bioregion*					
Swan Coastal Plain	1,501,222	578,432	39	38	-
Shire*					
Shire of Gingin	319,676	176,623	55	47	-
Hedde Vegetation Complex **					
Moore River	8,479	2,918	34	-	1.33

Methodology References:
Commonwealth of Australia (2001)
*Government of Western Australia (2016)
**Government of Western Australia (2017)

GIS Databases:
NLWRA, Current Extent of Native Vegetation
Pre-European 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 likely to be at variance to this Principle**
The application area is located approximately 400 metres east of a multiple-use palusplain wetland (associated with Moore River) and approximately 700 metres east of a major perennial watercourse (Moore River).

A site inspection undertaken by DER officers (2016) did not observe any wetlands, watercourses or riparian vegetation on site (DER, 2016).

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

Methodology References:
Department of Environment Regulation (2016)

GIS Databases:
Hydrography, linear
Hydrography, hierarchy

(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 soils within the application area under application have been mapped by the Department of Agriculture and Food Western Australia (DAFWA) to be Spearwood phase 5 map unit 211Sp_5. This map unit is described as pale brown to light grey sand overlying brownish-yellow sand to weak clayey sand at '90 centimetres depth (Commissioner of Soil and Land Conservation, 2016).

A Land Degradation Assessment Report undertaken by DAFWA identified that the risk of waterlogging, water erosion, eutrophication and wind erosion causing land degradation is low (Commissioner of Soil and Land Conservation, 2016).

Groundwater salinity within the application area has been mapped as marginal at between 500-1000 milligrams per litre Total Dissolved Solids. Given this and the application areas size, the proposed clearing is not likely to cause land degradation through salinity.

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

Methodology References:
Commissioner of Soil and Land Conservation (2016)

GIS Databases:
Groundwater Salinity

(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 closest conservation reserve to the application area is the Gnangara-Moore River State Forest located approximately 1.9 kilometres west of the application area. The Moore River National Park is located 5.7 kilometres to the east of the application area.

Given the distance and limited connectivity of the application area within the landscape, it is not likely to be significant for the movement of fauna nor is it likely the proposed clearing will impact the environmental values of these reserves.

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

Methodology GIS Databases:
Parks and Wildlife, Tenure

(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**

The application area is located approximately 400 metres east of a multiple-use palusplain wetland (associated with Moore River) and approximately 700 metres east of a major perennial watercourse (Moore River). Given this, the porous nature of the soil under application, and that there is a valley between the application area and these hydrological features, the proposed clearing is not likely to impact upon surface water.

The groundwater salinity within the application area is mapped between 500-1000 milligrams per litre of Total Dissolved Solids. This level of groundwater salinity is classified as marginal. The proposed clearing is not likely to increase groundwater salinity.

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

Methodology References:
Commissioner of Soil and Land Conservation (2016)

GIS Databases:
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**

A Land Degradation Report undertaken by DAFWA identified that the proposed clearing is unlikely to cause or exacerbate the incidence of flooding (Commissioner of Soil and Land Conservation, 2016).

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

Methodology References:
Commissioner of Soil and Land Conservation (2016)

Planning instruments and other relevant matters.

Comments The application area falls within the Gingin proclaimed surface water area under the *Rights in Water and Irrigation Act 1914*. The applicant has been issued a licence to 'take water' (GWL180770(1)) from the Department of Water (DoW). DoW advised that it has no comments to provide on the application (DoW, 2016).

Development approval for the proposed horticultural development is required from the Shire of Gingin. The applicant was granted planning approval for part of the application area (the western portion of Lot 210) on 29 February 2017 (Shire of Gingin, 2017a). The applicant was granted planning approval for the remainder of the application area within Lot 210 on 28 June 2017 (Shire of Gingin, 2017b).

The application area is mapped within two Aboriginal Sites of Significance, 'Gingin Brook Waggy Site' and 'Millbank Homestead'. The applicant will be notified of their obligations under the *Aboriginal Heritage Act 1972*.

The application area is zoned 'Rural' under the Town Planning Scheme.

The application was advertised in *The West Australian* newspaper on 18 July 2016 for a 21 day submission period. No submissions have been received in the relation to this application.

Methodology References:
Department of Water (2016)
Shire of Gingin (2017a)
Shire of Gingin (2017b)

GIS Databases:
Aboriginal Sites of Significance
Town Planning Scheme

4. References

- Brown A., Thomson-Dans C. and Marchant N.(1998). *Western Australia's Threatened Flora*, Department of Conservation and Land Management, Western Australia.
- Commissioner of Soil and Land Conservation (2016) Land Degradation Advice and Assessment Report for clearing permit application CPS 7162/1 received 19 August 2016; Department of Agriculture and Food Western Australia (DER Ref: A11511570).
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Department of Environment Regulation (2016) Site Inspection Report for CPS 7162/1. Department of Environment Regulation. Western Australia. (A1134995).
- Department of Parks and Wildlife (Parks and Wildlife) (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed 22/06/2017
- Department of Parks and Wildlife (2014) Conservation Codes for Western Australia Flora and Fauna. Department of Parks and Wildlife. Western Australia.
- Department of Water (2016) Advice for Clearing Permit CPS 7162/1. Western Australia. Department of Water (A1152409).
- Government of Western Australia (2014) 2014 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2014. WA Department of Parks and Wildlife, Perth.
- Government of Western Australia. (2017). *2016 South West Vegetation Complex Statistics. Current as of December 2016*. WA Department of Parks and Wildlife, Perth.
- 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.
- 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 Gingin (2017a) Application for Development Approval – Proposed Agriculture Intensive Perennial Horticulture (Avocado Farm) on Lot 210 Nabaroo Road, Cowalla – Shire of Gingin, Western Australia (DER Ref: A1397181).
- Shire of Gingin (2017b) Development Application: Agriculture Intensive Perennial Horticulture (Avocado Farm) and Water Tank Address: Lot 210 (No.966) Nabaroo Road, Cowalla – Shire of Gingin, Western Australia (DER Ref: A1462044).
- Valentine, L.E. and Stock, W. (2008) Food Resources of Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*) in the Gnaragar Sustainability Strategy Study Area. Edith Cowan University and Department of Environment and Conservation. December 2008.
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Parks and Wildlife. <http://florabase.dpaw.wa.gov.au/> (Accessed 22/06/2017).