GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS
Area Permit Number: 7369/1
File Number: 2016/002299-1
Duration of Permit: 5 August 2017 to 5 August 2019

PERMIT HOLDER
J I P Land Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE
Lot 183 on Deposited Plan 36468, Bullsbrook

AUTHORISED ACTIVITY
The Permit Holder shall not clear more than 1.6 hectares of native vegetation within the area cross hatched yellow on attached Plan 7369/1.

CONDITIONS
Nil.

Emma Bramwell
A/ MANAGER
CLEARING REGULATION

Officer delegated under Section 20
of the Environmental Protection Act 1986

4 July 2017

Plan 7369/1

Legend

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

N

0 200m

1:4,336

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

..... Date 04/07/17

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

GOVERNMENT OF WESTERN AUSTRALIA

Government of Western Australia
Department of Water and Environmental Regulation

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 7369/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: JIP Land Pty Ltd

1.3. Property details

Property: LOT 183 ON DEPOSITED PLAN 36468, BULLSBROOK
Local Government Authority: SWAN, CITY OF
DER Region: Greater Swan
DPaW District: SWAN COASTAL
Localities: BULLSBROOK

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1.6		Mechanical Removal	Grazing and cropping

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 4 July 2017
Reasons for Decision: 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*, and it has been concluded that the proposed clearing is at variance to principle (f) and is not likely to be at variance to any of the remaining clearing principles.

The Delegated Officer determined that the proposed clearing of 1.6 hectares of native vegetation in a degraded to completely degraded (Keighery, 1994) condition is unlikely to have any significant environmental impacts.

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description
The application area is mapped as the following Heddle vegetation complex:

- **Yanga Complex**: Predominantly a closed scrub of *Melaleuca* species and low open forest of *Casuarina obesa* (Swamp Sheoak) on the flats subject to inundation. On drier sites the vegetation reflects the adjacent vegetation complexes of Bassendean and Coonambidgee (Heddle et al., 1980).

Clearing Description
The application is to clear up to 1.6 hectares of native vegetation within Lot 183 on Deposited Plan 36468, Bullsbrook, for the purpose of grazing/cropping.

Vegetation Condition
Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).

To

Completely Degraded; No longer intact, completely/almost completely without native species (Keighery, 1994).

Comment
The vegetation condition and structure was determined by a site inspection undertaken by officers of the former Department of Environment Regulation (DER) on 12 December 2016.

3. Assessment of application against clearing principles

Comments

The application is to clear up to 1.6 hectares of native vegetation within Lot 183 on Deposited Plan 36468, Bullsbrook, for the purpose of grazing/cropping.

The local area considered in the assessment of this application is defined as a 10 kilometre radius.

The vegetation within the application area is in a degraded to completely degraded (Keighery 1994) condition, and consists predominately of *Casuarina obesa* trees and scattered *Eucalyptus rudis* (DER, 2016). The application area contains no native understorey and a groundcover consisting of introduced species, and no representation of the closed scrub of *Melaleuca* species comprising the mapped Yanga Complex (DER, 2016).

According to available databases, 24 priority flora species and six rare flora species have been recorded within the local area. Given the condition of the vegetation and absence of native understorey and groundcover species, the application area is unlikely to include, or be necessary for the continued existence of, rare and priority flora.

According to available databases, eight threatened fauna, one fauna protected under international agreement, two other specially protected fauna and five priority fauna have been recorded within the local area (Department of Parks and Wildlife, 2007-). Given the condition of the vegetation and absence of native understorey and groundcover species, the application area is unlikely to comprise, or be necessary for the maintenance of, a significant habitat for indigenous fauna including species of conservation significance.

According to available databases, a number of threatened ecological communities (TEC) and priority ecological communities (PEC) occur in the local area. Noting the condition of the vegetation, the application area is unlikely to be representative of, or be necessary for the maintenance of, a TEC or PEC.

The National Objectives and Targets for Biodiversity Conservation include a target to prevent the clearance of ecological communities with an extent below 30 per cent of that present pre-European settlement (Commonwealth of Australia, 2001). The application area is located within the Swan Coastal Plain Interim Biogeographic Regionalisation of Australia (IBRA) bioregion and is mapped as Heddle vegetation complex Yanga Complex, which retains approximately 16 per cent of its pre-European vegetation extent (Government of Western Australia, 2017). Although the mapped vegetation complex is under the 30 per cent threshold, noting the condition of the vegetation and absence of native understorey and groundcover species, the vegetation within the application area is unlikely to be a representation of the Yanga Complex. Given this, the application area is not likely to be significant as a remnant in an extensively cleared area.

According to the available datasets, the closest conservation area is Bush Forever site 2 located approximately 300 metres east of the application area. The application area is part of an isolated remnant of native vegetation and has no direct connection with Bush Forever site 2 or any other conservation area. Given this, the proposed clearing is unlikely to have an impact on the environmental values of any nearby conservation area.

According to the available datasets, approximately 0.5 hectares of the application is mapped within a conservation category wetland, with the remaining 1.1 hectares of the application area mapped within a multiple use wetland. Conservation category wetlands are wetlands that support a high level of ecological attributes and functions (Water and Rivers Commission, 2001). Multiple use wetlands have few important ecological attributes and functions remaining (Water and Rivers Commission, 2001). Areas containing no native vegetation occur within the conservation category wetland, indicating that the area has been subject to past disturbance. Noting the presence of *Casuarina obesa* and *Eucalyptus rudis* within the application area, the proposed clearing will impact on vegetation growing in association with these wetlands. Given the condition of the vegetation and the disturbance within the conservation category wetland, the impacts of the proposed clearing on riparian vegetation are unlikely to be significant.

Given the condition of the vegetation and absence of native understorey and groundcover species, and noting the size of the proposed clearing and the location of the application area within an isolated remnant, the proposed clearing is unlikely to cause appreciable land degradation, deterioration in the quality of surface or underground water, or cause or exacerbate the incidence or intensity of flooding.

Given the above, the proposed clearing is at variance to principle (f) and is not likely to be at variance to the remaining clearing principles.

Methodology

References:
Commonwealth of Australia (2001)
Department of Parks and Wildlife (2007-)
DER (2016)
Government of Western Australia (2017)
Keighery (1994)
Water and Rivers Commission (2001)

GIS datasets:
SAC Bio datasets accessed June 2017
Hydrography linear
Swan Coastal Plains, Wetlands
NLWRA, Current Extent of Native Vegetation
Parks and Wildlife tenure
Bushforever

Planning instruments and other relevant matters.

Comments

The application was originally for 41.3 hectares, which was reduced during the assessment of the application to 1.6 hectares. The reduced clearing size was requested by the applicant as the applicant proposes to conduct the majority of the proposed clearing in accordance with an exemption from the requirement for a clearing permit provided by Regulation 5 item 14 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (Clearing Regulations). The remaining 1.6 hectares of native vegetation the subject of this application is mapped as an environmentally sensitive area (ESA) in the *Environmental Protection (Environmentally Sensitive Areas) Notice 2005*, being a 'conservation category' wetland in this instance. The exemptions within the Clearing Regulations do not apply within ESAs, and a clearing permit is required to undertake clearing within these areas.

The original application for 41.3 hectares was advertised in *The West Australian* newspaper on 5 December 2016 for a 21 day submission period. Two submissions were received in relation to the original application, raising concerns in relation to potential impacts to flora, fauna, TECs, conservation areas, wetlands and land degradation. Although the submissions related to the original application, they have been considered and addressed in the assessment of the amended application.

The former Department of Parks and Wildlife advised that the proposed clearing would remove the remaining wetland values, and recommended that the applicant manage the proposed end land-use with the risk of nutrient leaching, water erosion and salinity in mind to prevent impacts on the nearby Ellen Brook (Department of Parks and Wildlife, 2017).

The former Department of Agriculture and Food Western Australia advised that the application area is located on the lower slope position in the landscape and drains towards the nearby Ellen Brook, and that the proposed end land-use has some risk of nutrient export causing eutrophication should seasonal waterlogging occur (DAFWA, 2017).

The former Department of Water advised that there is currently no existing licence to take water on the property and the groundwater area is fully allocated, and recommended that the applicant consider potential trading or leasing options if water is required for the proposed end land-use (Department of Water, 2017).

The application area is located within the broad mapped 'Ellen Brook Upper Swan' mythological site.

Methodology

References:
DAFWA (2017)
Department of Parks and Wildlife (2017)
Department of Water (2017)

GIS datasets:
Aboriginal Sites Register System

4. References

Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.

Department of Agriculture and Food Western Australia (DAFWA) (2017) Advice provided in relation to clearing permit application CPS 7369/1. Department of Agriculture and Food Western Australia (DER ref: A1378183).

Department of Environment Regulation (DER) (2016) Site Inspection Report for Clearing Permit Application CPS 7369/1 - JIP Land Pty Ltd. Site inspection undertaken 12 December 2016. Department of Environment Regulation, Western Australia (DER ref: A1341640).

Department of Parks and Wildlife (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: http://naturemap.dpaw.wa.gov.au/. Accessed June 2017

Department of Parks and Wildlife (2017) Advice provided in relation to clearing permit application CPS 7369/1. Department of Parks and Wildlife (DER ref: A1367626).

Department of Water (2017) Advice provided in relation to clearing permit application CPS 7369/1. Department of Water (DER ref: A1357077).

Government of Western Australia (2017). 2016 South West Vegetation Complex Statistics. Current as of December 2016. WA Department of Parks and Wildlife, Perth.

Heddle, 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.

Water and Rivers Commission (2001) Wetlands of the Swan Coastal Plain, and provides the Commission's views on related issues (dated 06/06/01).