



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 7396/1

File Number: 2016/002450-1

Duration of Permit: From 22 December 2017 to 22 December 2019

PERMIT HOLDER

Shayne Lawrence Smith

Gail Lorraine Smith

LAND ON WHICH CLEARING IS TO BE DONE

Lot 611 on Deposited Plan 62542, Wannamal

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 75 native trees within the area hatched yellow on attached Plan 7396/1.

CONDITIONS

1. Offset – conservation covenant

Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall:

- (a) give a conservation covenant under section 30B of the *Soil and Land Conservation Act 1945* setting aside six hectares of vegetation within the *covenant area* for the protection and management of vegetation in perpetuity; and
- (b) provide to the CEO a copy of the executed conservation covenant.

DEFINITIONS

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

covenant area means the area of land cross-hatched red on attached Plan 7396/1.

James Widenbar
MANAGER
CLEARING REGULATION





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

22 November 2017

Plan 7396/1



Legend

-  Subject to conditions
 -  Areas approved to clear
 -  Roads
 -  Cadastre
- Virtual Mosaic (LGATE-V001)



1:10,000

MGA 94

Geocentric Datum of Australia 1994

Justin Date 22/1/17

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



GOVERNMENT OF
WESTERN AUSTRALIA



1. Application details

1.1. Permit application details

Permit application No.: 7396/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Mrs Gail Lorraine Smith
Mr Shayne Lawrence Smith
Application received date: 7 December 2016

1.3. Property details

Property: LOT 611 ON PLAN 62542, WANNAMAL
Local Government Authority: CHITTERING, SHIRE OF
Localities: WANNAMAL

1.4. Application

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

1.5. Decision on application

Decision on Application: Grant
Decision Date: 22 November 2017

Reasons for Decision: The application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act), and it has been concluded that the proposed clearing is at variance to Principles (b), may be at variance to Principle (e) and (h), and is not likely to be at variance to the remaining Principles.

It is considered that the proposed clearing will result in the following impact:

- Loss of 75 potential habitat trees for Carnaby's cockatoo (*Calyptorhynchus latirostris*)

The applicant has avoided and minimised impacts by restricting clearing to isolated trees and fencing remnants on the property to protect against further environmental impacts.

After consideration of the above, the Delegated Officer determined that the conservation of a six hectare remnant on Lot 611 on plan 62542 will counterbalance significant residual impacts to Carnaby's cockatoo habitat.

Given the above, the Delegated Officer decided to grant a clearing permit subject to an offset condition.

2. Site Information

Clearing Description

The application is to clear 75 native trees within Lot 611 on plan 62542, Wannamal, for agriculture (Figure 1).

The application is to remove isolated paddock trees in order to increase farming efficiency by reducing spray and seeding overlap.

Vegetation Description

The vegetation within the application area has been mapped as Beard vegetation association 4 which is described as medium woodland; *Corymbia calophylla* (marri) and *Eucalyptus wandoo* (wandoo) (Shepherd et al., 2001).

A site inspection conducted by former Department of Environment Regulation (DER) officers (DER site inspection) described the vegetation under application as scattered marri and wandoo over pasture (DER, 2017).

Vegetation Condition

Completely Degraded; No longer intact, completely/almost completely without native species (Keighery, 1994). The condition of the vegetation within the application area was determined by the DER site inspection (DER, 2017).

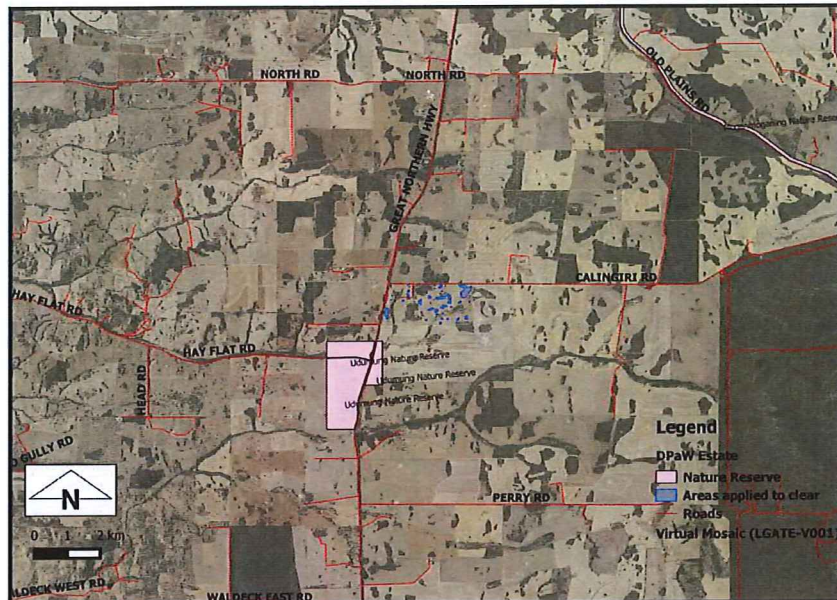


Figure 1: Vegetation to be cleared within Lot 611 on plan 62542, Wannamal.

3. Avoidance and minimisation

In order to avoid and minimise the impacts of the proposed clearing on the property, the applicant has restricted clearing to isolated trees and fenced larger remnants on the property to avoid further degradation.

4. 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 application is to clear 75 native trees within Lot 611 on plan 62542, Wannamal, for agriculture (Figure 1). The trees are scattered throughout Lot 611.

The local area considered in the assessment of this application is defined as a 10 kilometre radius measured from the perimeter of the application area. As assessed under principle (e), the local area is extensively cleared with approximately 27.8 per cent (10,282 hectares) vegetation remaining.

Noting the type and condition of the vegetation within the application area, it is not likely to contain rare or priority flora and is not likely to be representative of a threatened or priority ecological community.

Of the fauna species of conservation significance recorded within the local area, the application area is likely to provide significant habitat for Carnaby's cockatoo. The application area is likely to facilitate the movement of fauna across the landscape. Fauna are assessed in more detail under Principle (b).

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

Methodology GIS Databases:
SAC Bio-datasets - accessed March 2017

(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 at variance to this Principle**

According to available databases, five fauna species listed as threatened under the *Wildlife Conservation Act 1950* (WC Act) have been recorded within the local area (10 kilometre radius) (DBCA, 2007-). Of these, noting the type and condition of the vegetation present, the application area provides habitat for the threatened fauna Carnaby's cockatoo (*Calyptorhynchus latirostris*).

Carnaby's cockatoo is listed as endangered under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Carnaby's cockatoo nest in large hollows of Eucalyptus trees and forage on the seeds, nuts and flowers of a large variety of plants including Proteaceous species (Banksia, Hakea, Grevillea), Eucalyptus, Corymbia and a range of introduced species. The cleared vegetation falls within the northern range of the species where habitat loss and range contraction are the most marked (DBCA, 2013; Commonwealth of Australia, 2012).

A site inspection identified a number of trees within the application area that fit the criteria for Carnaby's cockatoo breeding habitat, having a diameter at breast height of more than 50 centimetres (DER, 2017). No active nesting hollows were identified. The application area is within the centre of the predominant breeding habitat for Carnaby's cockatoo and has been mapped within confirmed Carnaby's cockatoo breeding areas. Given this, the application area provides significant habitat for the species.

The former Department of Parks and Wildlife (Parks and Wildlife) advised that the proposed clearing is likely to impact on black cockatoo habitat trees and connectivity between remnants (Parks and Wildlife, 2017). Parks and Wildlife advised that the conservation values of the Udamung Nature Reserve, located approximately 400 metres south-west of the application area, are enhanced by ecological services provided by surrounding remnants and paddock trees (Parks and Wildlife, 2017). Parks and Wildlife also advised the remaining native vegetation in the local area has high value in providing feeding, breeding and roosting habitat for endangered black cockatoos, and in providing 'stepping stone' connectivity among fragmented remnants for a variety of fauna and flora species (Parks and Wildlife, 2017).

Given the above, the proposed clearing is at variance to this Principle.

In order to offset the potential impact to Carnaby's cockatoo, a condition has been placed on the permit requiring the applicant to give a conservation covenant under section 30B of the *Soil and Land Conservation Act 1945*, setting aside a six hectare area for the protection and management of vegetation in perpetuity.

Methodology References:
Commonwealth of Australia (2012)
DBCA (2007-)
DBCA (2013)
DER (2017)
Parks and Wildlife (2017)

GIS Databases:
SAC Bio-datasets - accessed March 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**
Noting the vegetation type and condition within the application area, it is not likely to contain or be necessary for the continued existence of rare flora.

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

Methodology GIS Databases:
SAC Bio-datasets - accessed March 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**
Noting the vegetation type and condition within the application area, it is not likely to comprise or be necessary for the maintenance of a threatened ecological community.

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

Methodology GIS Databases:
SAC Bio-datasets - accessed March 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 may 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 per cent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001).

As indicated in Table 1, the remaining extents of native vegetation within the local area and of the mapped Beard vegetation association are less than the minimum 30 per cent representation threshold. Approximately 36 per cent of the native vegetation remaining in the local area is contained within a large remnant to the south east of the application area. The extent of the proposed clearing (75 trees represented as 0.75 hectares) represents approximately 0.007 per cent of the remaining extent of vegetation within the local area. Noting the above, the application area may be located within an area that has been extensively cleared.

As assessed under Principle (b), the application area comprises significant habitat for Carnaby's cockatoo, supports the movement of fauna through the landscape, and may provide ecological services to the Udamung Nature Reserve. Given this, and taking into account the type and condition of the vegetation present, the application area may be significant as a remnant.

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

Table 1: Vegetation representations

	Pre-European (ha)	Current Extent (ha)	Remaining (%)	Extent in Parks and Wildlife Managed Lands (%)
IBRA Bioregion*				
Jarrah Forest	4,506,660.3	2,416,018.1	53.6	69.0
Local Government Authority*				
Shire of Chittering	121,835.0	46,477.4	38.2	23.0
Beard Vegetation Association in Bioregion*				
4	1,022,712.69	286,299.02	28.0	10.0
Local Area				
10 kilometre radius	36,902.7	10,282.5	27.8	-

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

GIS Databases:
SAC Bio-datasets - accessed October 2016

(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**
According to available databases, two minor, non-perennial watercourses traverse Lot 611. Noting the type and condition of the vegetation present, the vegetation within the application area is not likely to be growing in association with the watercourses.

The DER site inspection did not observe riparian vegetation species within the application area (DER, 2017).

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

Methodology References:
DER (2017)

GIS Databases:
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 has been mapped within the following Department of Primary Industry and Regional Development (DPIRD) land sub systems (map units):

- Udamong 2 typical Phase described as; partially stripped plateau, very gently to gently inclined hillslopes and minor open depressions. Loamy gravel, shallow loamy gravel over duricrust, some sands. Woodland of wandoo, marri, *Dryandra* spp..
- Udamong 1 plateau Phase described as; residual plateau, very gently to gently inclined (<10%) undulating plain and hillslopes. Shallow loamy gravel over duricrust, loamy gravel, some sandy gravels. Wandoo, heath and mallee.

The application area has been mapped within the land degradation risk categories outlined in Table 2.

The former Department of Agriculture and Food (DAFWA) advised that the risk of the proposed land clearing causing land degradation is low (DAFWA, 2017).

As the mapped soil types do not have a high risk of land degradation, noting the type and condition of the vegetation within the application area and that the proposed clearing is not likely to impact riparian vegetation, the proposed clearing is not likely to cause appreciable land degradation.

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

Table 2: Land degradation risk categories (DPIRD, 2017)

Risk categories	Udamong 2 typical Phase	Udamong 1 plateau Phase
Wind erosion	10-30% of map unit has a high to extreme wind erosion risk	10-30% of map unit has a high to extreme wind erosion risk
Water erosion	<3% of map unit has a high to extreme water erosion risk	3-10% of map unit has a high to extreme water erosion risk
Salinity	30-50% of map unit has a moderate to high salinity risk or is presently saline	30-50% of map unit has a moderate to high salinity risk or is presently saline
Subsurface Acidification	3-10% of map unit has a high subsurface acidification risk or is presently acid	3-10% of map unit has a high subsurface acidification risk or is presently acid
Flood risk	<3% of the map unit has a moderate to high flood risk	<3% of the map unit has a moderate to high flood risk
Water logging	<3% of map unit has a moderate to very high waterlogging risk	<3% of map unit has a moderate to very high waterlogging risk
Phosphorus export risk	3-10% of map unit has a high to extreme phosphorus export risk	3-10% of map unit has a high to extreme phosphorus export risk

Methodology References:
DAFWA (2017)
DPIRD (2017)

GIS Databases:
Land Systems
Topographic contours
Land Degredation risk

(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 may be at variance to this Principle**
The Udamung Nature Reserve is located approximately 400 metres south-west of the application area. The application area is connected to this conservation area through a corridor of vegetation associated with a watercourse. Noting the extensively cleared local area, the application area is likely to facilitate the movement of fauna across the landscape.

Parks and Wildlife advised that the Udamung Nature Reserve is one of the more valuable remnants in the local area, and that the environmental values of this conservation area are enhanced by ecological services provided by the surrounding smaller remnants and paddock trees (Parks and Wildlife, 2017).

As the application area may play a role in supporting the environmental values of the Udamung Nature Reserve, the proposed clearing may be at variance to this Principle.

Methodology References:
Parks and Wildlife (2017)

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**
Groundwater salinity has been mapped as 3,000-7,000 milligrams per litre total dissolved solids, which is considered brackish to saline (Water and Rivers Commission, 2001).

As assessed under Principle (g), the proposed clearing is not likely to cause water erosion or eutrophication.

Noting that the vegetation within the application area is not likely to be growing in association with watercourses and that the proposed clearing is not likely to cause appreciable land degradation, it is not likely to cause deterioration in the quality of surface or underground water.

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

Methodology References:
Water and Rivers Commission (2001)

GIS Databases:
Salinity risk
Water erosion risk
Eutrophication risk

(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 land sub systems covering the application area have been mapped as 'less than three per cent of the map unit has a moderate to high flood risk' which is the lowest risk category (DPIRD, 2017).

Given the above, and noting that the vegetation within the application area is not likely to be growing in association with watercourses, the proposed clearing is not likely to be at variance to this Principle.

Methodology References:
DPIRD (2017)

GIS Databases:
Hydrography linear

Planning instruments and other relevant matters.

Comments The purpose of the application is to increase the efficiency of the farming operation currently undertaken on the property.

Lot 611 is zoned 'agricultural resource' under the Shire of Chittering Town Planning Scheme No. 6.

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

The former Department of Water advised that they have no comment on the proposed clearing (Department of Water, 2017).

The application was advertised in *The West Australian Newspaper* on 2 January 2017, with a 21 day submission period. No public submissions were received in relation to this application.

Methodology References
Department of Water (2017)

GIS Databases:
Aboriginal Sites of Significance

5. Suitability of Proposed offset

Comments The WA Environmental Offsets Policy states that offsets do not replace proper on-site environmental practises such as avoidance and mitigation. The avoidance and mitigation measures assessed within section 3 are deemed adequate in addressing this requirement.

The Delegated Officer determined that the proposed increased clearing will impact on 75 potential habitat trees for Carnaby's cockatoo.

To offset the impacts of the proposed clearing, the applicant has proposed an offset securing six hectares of adjoining vegetation from future potential development/degradation, specifically the offset area:

- will be placed under conservation covenant;
- is located within vegetation contiguous with the application area; and
- contains suitable Carnaby's cockatoo breeding habitat.

In assessing whether the proposed offset is adequately proportionate to the significance of the habitat values for Carnaby's cockatoo being impacted, the Department of Water and Environmental Regulation undertook a calculation using the Commonwealth Offsets Assessment Guide. The calculation indicated that the allocation of six hectares is considered adequate to counterbalance the significant residual impacts to Carnaby's cockatoo consistent with the *WA Environmental Offsets Policy September 2011*.

6. References

Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
Commonwealth of Australia (2012). EPBC Act referral guidelines for three threatened black cockatoo species. Department of Sustainability, Environment, Water, Populations and Communities, Canberra.
Department of Agriculture and Food Western Australia (DAFWA)(2017) Advice received in relation to clearing permit application CPS 7396/1. Received 16 February 2017. DER ref: A1378192.
Department of Biodiversity Conservation and Attractions (DBCA) (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed February 2017.
Department of Environment Regulation (DER)(2017) Site Inspection Report for Clearing Permit Application CPS 7396/1. Site inspection undertaken 1 February 2017. Department of Environment Regulation, Western Australia (A1397300).
Department of Parks and Wildlife (Parks and Wildlife) (2013). Carnaby's cockatoo (*Calyptorhynchus latirostris*) Recovery Plan. Department of Parks and Wildlife, Perth, Western Australia.

Department of Parks and Wildlife (Parks and Wildlife) (2017) Advice received in relation to clearing permit application CPS 7396/1. Received 21 February 2017. DER ref: A1397301.

Department of Primary Industry and Regional Development (DPIRD)(2017). NRInfo Digital Mapping. Department of Primary Industry and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/> (accessed October 2017).

Department of Water (2017) Advice received in relation to clearing permit application CPS 7396/1. Received 12 January 2017. DER ref: A1357259.

Government of Western Australia (2016) 2016 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2016. 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.

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.

Water and Rivers Commission (2001) Position Statement: Wetlands, Water and Rivers Commission, Perth.