



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 7501/1
File Number: DER2017/000304-1
Duration of Permit: From 19 August 2017 to 19 August 2019

PERMIT HOLDER

Carbone Bros Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

LOT 679 ON PLAN 251576, STRATHAM

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.21 hectare of native vegetation within the area cross-hatched yellow on attached Plan 7520/1.

CONDITIONS

1. Fauna Management

- (a) Prior to clearing, any *habitat tree(s)* within the area cross-hatched yellow on attached Plan 7501/1 that have potential to be utilised by Carnaby's cockatoo (*Calyptorhynchus latirostris*), Baudin's cockatoo (*Calyptorhynchus baudinii*), forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*) or western ringtail possum (*Pseudocheirus occidentalis*) shall be inspected by a *fauna specialist* for the presence of these fauna.
- (b) Where fauna are identified in relation to condition 1(a) of this Permit, the Permit Holder shall ensure that:
 - (i) no clearing within 10 metres of *habitat tree(s)* of the identified fauna occurs, unless first approved by the CEO; and
 - (ii) no taking of identified fauna occurs unless approved by the CEO.

2. Dieback and Weeds

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* and *dieback*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared;
- (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;

fauna specialist: means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*.

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

habitat tree(s) means trees that have a diameter, measured at 1.5 metres from the base of the tree, of 50 centimetres or greater, that contains or has the potential to develop hollows or roosts suitable for native fauna;

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;

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.



Emma Bramwell
A/ MANAGER
CLEARING REGULATION

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

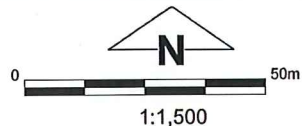
24 July 2017

Plan 7501/1



Legend

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



1:1,500

(Approximate when reproduced at A4)
GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

E Bramwell
Date *24/07/17*

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.: 7501/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Carbone Bros Pty Ltd

1.3. Property details

Property: LOT 679 ON PLAN 251576, STRATHAM
Local Government Authority: CAPEL, SHIRE OF
DWER Region: Greater Swan
DBCAs District: WELLINGTON
Localities: STRATHAM

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 24 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), may be at variance to principle (b), and is not likely to be at variance to the remaining principles.

The Delegated Officer noted that the application area contains approximately 0.07 hectares of a mapped wetland, and determined that given the extent of the proposed clearing, the impact to riparian vegetation is unlikely to be significant, however, the proposed clearing may indirectly impact on the environmental values of adjacent vegetation through the introduction or spread of weeds and dieback. To address this matter, the clearing permit contains a condition requiring the Permit Holder to implement weed and dieback management measures.

The Delegated Officer determined that the application area contains suitable habitat for threatened fauna. To address this matter, the clearing permit contains a condition requiring the Permit Holder to inspect habitat trees prior to clearing, and where use by threatened fauna is evident, to avoid taking fauna or clearing within 10 metres of habitat trees unless approved by the CEO.

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 application area is mapped as: Beard Vegetation Association 6 which is described as medium woodland; tuart & jarrah (Shepherd et al., 2001), and Hedde Vegetation Karrakatta Complex-Central and South is comprised of open forest and woodland (Hedde et al., 1980).	The application is for the proposed clearing of 0.21 hectares of native vegetation within Lot 679 Deposited Plan 251576, Stratham, for the purpose of extending a truck circling area.	Very Good; Vegetation structure altered; obvious signs of disturbance (Keighery, 1994). To Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).	The condition and description of the vegetation within the application area was determined by site photographs provided by the applicant (Harewood, 2017).

3. Assessment of application against clearing principles

Comments The application is for the proposed clearing of 0.21 hectares of native vegetation within Lot 679 Deposited Plan 251576, Stratham, for the purpose of extending a truck turning area.

The vegetation within the application area is in good to degraded condition (Keighery, 1994), and is contiguous with remnant vegetation to the west and south of the application area.

The chief soils of the application area are brown sands with areas of leached sands (Northcote et al., 1968).

A site inspection conducted by the applicant identified that the vegetation within the application area comprises *Banksia attenuata* (candlestick banksia) woodland with *Agonis flexuosa* (peppermint), *Eucalyptus marginata* (jarrah), *Nuytsia floribunda* (WA Christmas tree) and *Kunzea glabrescens* (spearwood) over shrubland/weeds, and includes 16 banksia, 11 peppermint, six jarrah and one WA Christmas tree with a diameter at breast height of more than 10 centimetres as well as a number of smaller saplings of these species (Harewood, 2017).

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). The mapped vegetation association retains approximately 24 per cent of its original extent within the Swan Coastal Plain IBRA bioregion (Government of Western Australia, 2016). The local area retains approximately 26 per cent vegetation extent. While the mapped vegetation association retains less than the 30 per cent recommended threshold for representation and the local area has been extensively cleared, noting the size of the application area and the condition of the vegetation, the proposed clearing is unlikely to comprise a significant remnant.

The vegetation is confirmed habitat for the western ringtail possum (*Pseudocheirus occidentalis*), with a 2011 record known within the applied area (Parks and Wildlife, 2017b). The threatened fauna Baudin's cockatoo (*Calyptorhynchus baudinii*), Carnaby's cockatoo (*Calyptorhynchus latirostris*) and forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*) have been recorded within 10 kilometres of the application area (Parks and Wildlife 2007-). One habitat tree with a diameter at breast height of more than 50 centimetres, being a dead jarrah with one apparently large hollow as well as smaller hollows, is present within the application area, and may be suitable for use by black cockatoos and possums (Harewood, 2017). On this basis the application area may comprise significant habitat for indigenous fauna.

Approximately 0.07 hectares of the application area is mapped as the Cokelup Swamp. Given the size of the application area, the proposed clearing is not likely to significantly impact native vegetation growing in association with the wetland.

Two rare flora species may occur within the application area (Parks and Wildlife, 2017a and 2017b). Given the size of the application area and the condition of the vegetation, and noting the number of populations that exist of each of the flora species (DEC 2008, 2009), the proposed clearing is unlikely to significantly impact on the conservation status of these flora species.

The vegetation is an example of the threatened ecological community Banksia woodland of the Swan Coastal Plain (Parks and Wildlife, 2017b), however, significant impacts are unlikely due to the small size and condition of the vegetation in the applied area.

The application area is identified within the Greater Bunbury Regional Scheme as being part of a regionally significant Dalyellup/Gelorup/Crooked Brook ecological linkage (EPA, 2003). This same linkage is identified within the South West Regional Ecological Linkage technical report (Molley et al., 2009).

Dieback (*Phytophthora cinnamomi*) may occur within the application area (DEC, 2011). The proposed clearing may increase the introduction of weeds and increase the spread of dieback into adjacent remnant vegetation.

Noting the extent of the proposed clearing and the condition of the vegetation within the application area, the proposed clearing is not likely to cause deterioration in the quality of surface or underground water, cause appreciable land degradation, or cause or exacerbate the incidence or intensity of flooding.

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

Methodology References:
Commonwealth of Australia (2001)
DEC (2008)
DEC (2009)
DEC (2011)
EPA (2003)
Government of Western Australia (2016)
Harewood (2017)
Keighery (1994)
Molloy et al. (2009)
Parks and Wildlife (2007-)
Parks and Wildlife (2017a)
Parks and Wildlife (2017b) Northcote et al. (1968)

Shepherd et al. (2001)

GIS Databases:

- Aerial imagery
- Hydrography, Linear
- Pre-European Vegetation
- IBRA WA (Regions - Sub Regions)
- SAC Bio datasets

Planning instruments and other relevant matters.

Comments The application is for the proposed clearing of 0.21 hectares of native vegetation within Lot 679 Deposited Plan 251576, Stratham, for the purpose of extending a truck circling area.

The application area is located adjacent to the Strategic Minerals and Basic Raw Materials Resource area under the Greater Bunbury Region Scheme: Strategic Minerals and Basic Raw materials resource Policy (2005).

The application area largely overlaps the north-western portion of the area assessed for application CPS 4154/1.

- Application CPS 4154/1 was submitted for the clearing of 17.1 hectares of native vegetation within Lot 677 on Deposited Plan 251576 and Lot 679 for the purpose of extractive industry. Assessment of application CPS 4154/1 found that the proposed clearing was at variance to principles (a), (b), (e), (f), (g), (h) and (j), may be at variance to principle (c), (i), and not likely to be at variance to principles (d) or (j). Application CPS 4154/1 was refused on 8 April 2011 on the basis of impacts to significant habitat for fauna, a regionally significant ecological linkage and wetland dependent vegetation.
- The applicant appealed the decision to refuse application CPS 4154/1. On 8 September 2011, the then Minister for Environment determined to allow the appeal to the extent that the clearing of 5.4 hectares of application CPS 4154/1 corresponding with Stage 1 and Stage 2 indicated in the applicant's supporting information be allowed, subject to post-extraction restoration and an offset. The modified area excluded 11.7 hectares of the more environmentally significant areas (e.g. wetland vegetation, rare flora habitat and some fauna habitat) located within the western portion of Lot 677.
- Assessment of the modified area found that the proposed clearing was at variance to principles (a), (b), (e), (g) and (h), and (j), and not likely to be at variance to principles (c), (d), (f), (i) and (j). Clearing Permit CPS 4154/2 was granted on 7 March 2013 to give effect to the Minister's decision, subject to conditions including an offset requirement.
- Clearing Permit CPS 4154/3 was granted on 3 September 2015, amending and superseding Clearing Permit CPS 4154/2 to correct an administrative error, remove redundant conditions and align the permit with current practices. Clearing permit CPS 4154/3 requires the permit holder to give a conservation covenant over a portion of the land to preserve the ecological linkage, and requires the provision of black cockatoo nesting boxes at a density of one per hectare within the covenanted area.

The application area is located between an existing pit to the north, and the north-western corner of Stage 1 which was authorised to be cleared under Clearing Permit CPS 4154/2 and /3. It is noted that the Minister's appeal determination supported the Department's decision to refuse to grant a clearing permit for the majority of the area in application CPS 7501/1. It is open to an applicant to re-apply for a clearing permit for an area previously refused, however a decision on the application should not be inconsistent with an appeal decision. In this instance a fauna survey has been conducted which identified potential habitat for threatened fauna. Noting the extent of the proposed clearing and the condition of the vegetation, it is considered that the impacts of the proposed clearing in this instance can be adequately managed through permit conditions.

The application area is zoned 'Rural' under the Shire of Capel Town Planning Scheme No. 7.

The clearing permit application was advertised in *The West Australian* newspaper on 27 March with a 21 day submission period. No public submissions have been received in relation to the proposed clearing.

Methodology GIS Databases:
-Town Planning Scheme Zones

4. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Department of Environment and Conservation (DEC) (2008) Grand spider orchid (*Caladenia huegelii*) recovery plan
- Department of Environment and Conservation (DEC) (2009) Glossy-leafed hammer orchid (*Drakaea elastica*) recovery plan
- Department of Environment and Conservation (DEC) (2011) Site Inspection Report and Regional Advice for Clearing Permit Application CPS 4154/1, Lot 677 and 679 Calinup Rd Gelorup. Site inspection undertaken February 2011. Department of Environment and Conservation, Western Australia (DER ref A368180)
- 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 01/05/2017
- Department of Parks and Wildlife (Parks and Wildlife) (2017a) Species and Communities Flora Advice for Clearing Permit Application CPS 7501/1. Department of Parks and Wildlife, Western Australia (DER Ref:A1457882).

- Department of Parks and Wildlife (Parks and Wildlife) (2017b) Wildlife Advice for Clearing Permit Application CPS 7501/1. Department of Parks and Wildlife, Western Australia (DER Ref: A1457883).
- Environmental Protection Authority (EPA) (2003) Greater Bunbury Region Scheme. Bulletin 1108. Environmental Protection Authority, Western Australia.
- 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.
- Harewood, G. (2017) Fauna and Flora Assessment Lot 679 Calinup Road, Stratham. On behalf of Carbone Bros Pty Ltd. Bunbury Western Australia. DER ref A1386926
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Molloy, S., Wood, J., Hall, S., Wallrodt, S. and Whisson, G. (2009) South West Regional Ecological Linkages Technical Report. A report for the Western Australian Local Government Authority and Department of Environment and Conservation, Perth 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.