



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 7683/1
File Number: DER2017/001301-1
Duration of Permit: From 21 June 2018 to 21 June 2020

PERMIT HOLDER

Eleanor and Bruce Wright

LAND ON WHICH CLEARING IS TO BE DONE

Lot 6237 on Deposited Plan 208015, Kojaneerup South
Lot 6828 on Deposited Plan 209199, Kojaneerup South

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 29.583 hectares within the area cross-hatched yellow on attached Plan 7683/1.

CONDITIONS

1. Avoid, minimise and reduce the impacts and extent of clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- (a) avoid the clearing of native vegetation;
- (b) minimise the amount of native vegetation to be cleared; and
- (c) reduce the impact of clearing on any environmental value.

2. Dieback and 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* 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 *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared;
- (c) ensure that no known *dieback* affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

3. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit, in relation to the clearing of native vegetation authorised under this Permit:

- (a) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
- (b) the date that the area was cleared;
- (c) the size of the area cleared (in hectares);
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 1 of this Permit; and
- (e) actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 2 of this Permit.

4. Reporting

The Permit Holder must provide to the *CEO* the records required under condition 3 of this Permit, when requested by the *CEO*.

DEFINITIONS

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

CEO: means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*;

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;

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 Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or

(c) not indigenous to the area concerned.

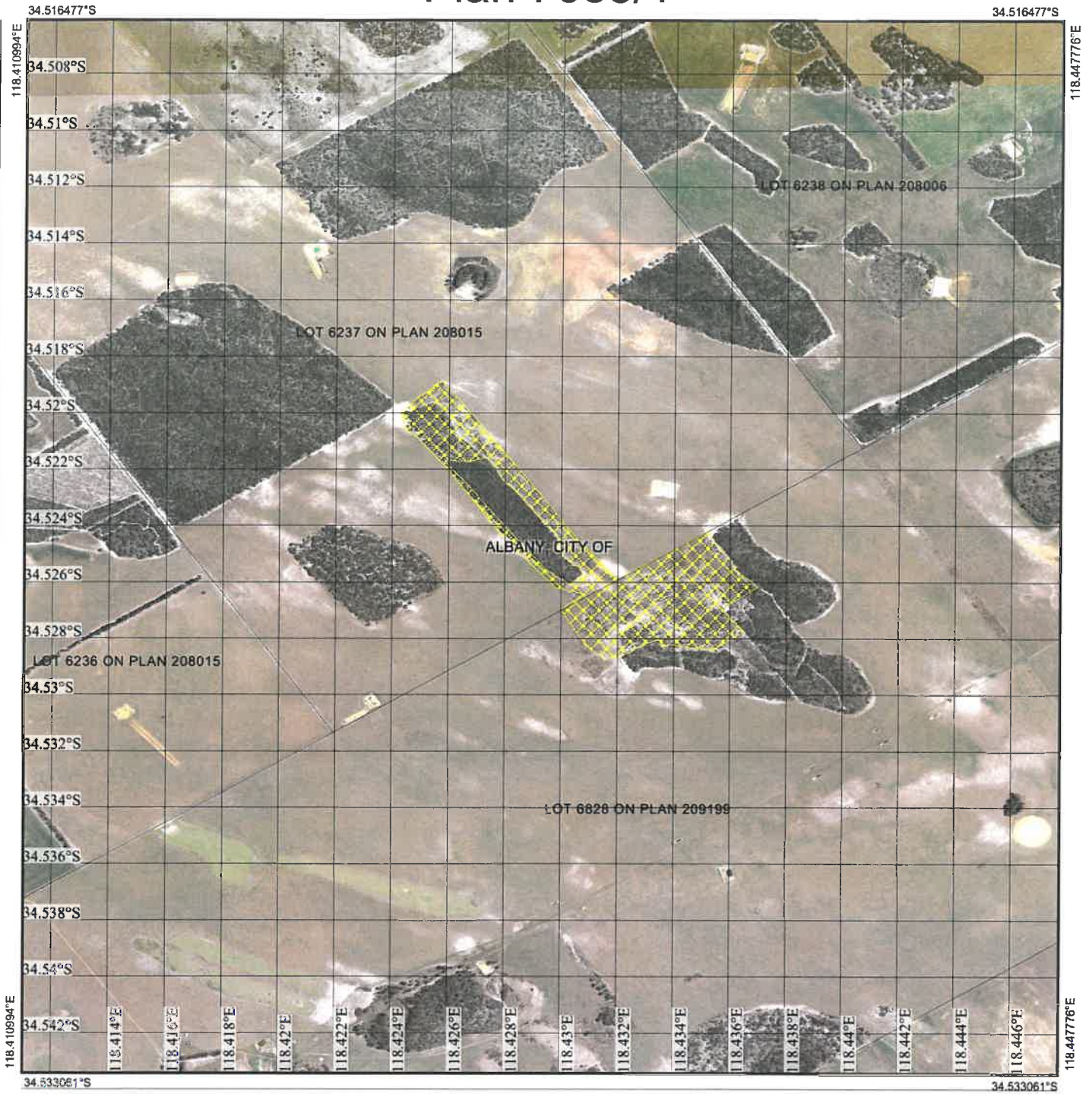


Mathew Gannaway
MANAGER
CLEARING REGULATION




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

22 May 2018

Plan 7683/1



Legend

-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority




0  1km

1:17,890

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

 Date 22/05/2018

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



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WESTERN AUSTRALIA
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1. Application details

1.1. Permit application details

Permit application No.: 7683/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Mrs Eleanor Wright
Mr Bruce Wright
Application received date: 18 July 2017

1.3. Property details

Property: Lot 6237 on Deposited Plan 208015, Kojaneerup South
Lot 6828 on Deposited Plan 209199, Kojaneerup South
Local Government Authority: Albany, City of
Localities: Kojaneerup South

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
29.53		Mechanical Removal	Grazing & pasture

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 22 May 2018
Reasons for Decision:

The clearing permit application was received on 18 July 2017, and 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). It has been concluded that the proposed clearing is not likely to be at variance to any of the clearing principles.

During the assessment of the application, the applicant amended the application area. The original application area included 12.5 hectares of native vegetation. On 5 January 2018, the applicant amended the application area to 29.583 hectares to exclude a stand of native vegetation in very good to excellent condition within the central portion of the application area that contains flora, fauna and vegetation values. The majority of the revised application area contains native vegetation in a degraded to completely degraded condition.

Based on the revised application area, the Delegated Officer determined that the proposed clearing area does not contain any conservation significant flora, fauna or vegetation, riparian vegetation and is not considered a significant remnant. The Delegated Officer determined that the proposed clearing is not likely to lead to an unacceptable risk to the environment.

The Delegated Officer noted that the sandy soils within the application area are prone to wind erosion, however current land management techniques practised by the applicant mitigate the risk of land degradation occurring as a result of wind erosion.

A weed and dieback management condition has been placed on the clearing permit to minimise the risk of weeds and dieback spreading into the adjacent area of remnant vegetation excised from the original application area.

2. Site Information

Clearing Description

The proposed clearing of 29.53 hectares of native vegetation within Lot 6237 on Deposited Plan 208015 and Lot 6828 on Deposited Plan 209199, Kojaneerup South is for the purpose of grazing and pasture (Figure 1 below).

Note: The original proposed clearing size was for 12.5 hectares (Figure 2 below). On 5 January 2018, the applicant amended the application area to 29.583 hectares to exclude a stand of native vegetation in very good to excellent condition within the central portion of the application area that contains flora, fauna and vegetation values. The majority of the revised application area contains native vegetation in a degraded to completely degraded condition. The large increase in the application area was due to the applicant not being aware that those areas not originally applied for contained native vegetation and that a clearing permit was required to encompass those areas.

Vegetation Description and condition

The vegetation within the application area is mapped as Beard vegetation complex 47: Shrublands; tallerack mallee (*Eucalyptus x tetragona*) - heath (Shepherd et al, 2001).

The Department of Primary Industry and Regional Development (DPIRD) conducted a site inspection of the original application area and identified it as a woodland of *Banksia coccinea*, *B. baxteri* and *B. attenuata*, and a shrub layer of *Allocasuarina humilis*, *Pultenaea reticulata*, *Adenanthos cuneatus*, *A. apiculatus*, *Leucopogon australis*, *Stirlingia latifolia* and *Dasyogon bromeliifolius*. More broadly, the application area is a *Banksia* woodland with scrub heath and some mallee (DPIRD, 2017a and 2017b).

A site inspection of the original application area conducted by the Department of Water and Environmental Regulation (DWER) further noted the vegetation comprises a Myrtaceous mallee heath with emerging *Eucalyptus* sp. and an understorey of *Acacia*, *Banksia*, *Lambertia* and *Melaleuca* species. The revised application area comprised of sparse native vegetation severely impacted by historical agricultural activities dominated by disturbance species that does not resemble the remnant native vegetation within the local area (DWER, 2017).

Based on vegetation condition noted during the site inspection, the application area is divided into two broad areas (Area 1 and Area 2):

- Area 1 (approximately 29.583 hectares; revised application area; Figure 1) is in a Completely Degraded to Degraded (Keighery, 1994) condition with limited environmental values; and
- Area 2 (approximately 5.924 hectares; area excised from the centre of the revised application area; Figure 1) is in a Very Good to Excellent (Keighery, 1994) condition, and contains a number of environmental values.

Soil types

Soils are mapped as Chillinup 3 Subsystem Map Unit 242Ch_3. These are described as linear dunes (oriented in northwest-southeast direction) and associated interdunal swales on aeolian sands (deep) deposited as linear sand dunes over Tertiary marine sediments. Pale deep sand dominants with grey deep sandy duplex soils (DPIRD, 2017b).

Comments

The local area considered in the assessment of the application is described as a 10 kilometre radius measured from the application area. The local area retains approximately 18 per cent native vegetation cover.



Figure 1: Application "Area 1" (revised)



Figure 2: Original application "Area 2"

3. Minimisation and mitigation measures

As discussed within Section 2, a DWER site inspection determined that the vegetation within the application area can be divided into two broad areas based on vegetation type and condition.

Area 2 was identified as containing vegetation consistent with the "Proteaceae Dominated Kwongan Shrublands of the Southeast Coastal Floristic Province of Western Australia". This ecological community is listed as a 'Priority 3(iii)' PEC by the Department of Biodiversity, Conservation and Attractions, and as 'Endangered' under the *Environment Protection and Biodiversity Conservation*

Act 1999. In addition to the existence of the ecological community, Area 2 contains potential foraging habitat for black cockatoos and potential significant habitat for a number of conservation significant flora species.

Following discussions with DWER concerning the environmental values of Area 2, the applicant agreed to revise and modify the application by removing Area 2 from the application, thus avoiding potential impact to the ecological community and conservation significant flora.

The revised application area (Area 1; Figure 1) forms the basis of this clearing assessment and is referred to in this report as the 'application area'.

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

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

The vegetation within the application area (refer to Figure 1), is in a Completely Degraded to Degraded (Keighery, 1994) condition having been impacted by historical agricultural activities (DWER, 2107). The application area is broadly described as sparse native vegetation comprising of predominantly disturbance species (DWER, 2017).

According to available databases, three Priority 2, two Priority 3 and three Priority 4 listed flora species have been recorded within the local area. No threatened or priority listed flora records occur within the application area. Noting the proximity of these flora records, the similarity in habitat preferences, and the mapped soil and vegetation types within the application area, the application area may contain suitable habitat for the following species:

- *Chordifex leucoblepharus* (Priority 2) is a small herb, known from a total of 21 records in the Albany, Cranbrook, Plantagenet and Gnowangerup Local Government Authorities (LGA) and is typically associated with sandy or sandy loam soils (Western Australian Herbarium, 1998-). The nearest record of this species is approximately eight kilometres from the application area.
- *Calytrix pulchella* (Priority 3) is a shrub, known from a total of 19 records over a wide distribution between Albany, Broomehill-Tambellup, Collie, Cranbrook, Gnowangerup, Kent, Kojonup, Manjimup and West Arthur LGA's, and is typically associated with grey or white sands over laterite (Western Australian Herbarium, 1998-). The nearest record of this species is approximately 10 kilometres from the application area.
- *Centrolepis caespitosa* (Priority 4) is a tuft annual herb, known from a total of 39 records over a wide distribution between Albany to Augusta to north of Perth and is typically associated with white sands or clay, salt flats and wet areas (Western Australian Herbarium, 1998-). The nearest record of this species is approximately 9 kilometres from the application area.
- *Eucalyptus x kalganensis* (Priority 4) is a spreading mallee, known from a total of 26 records within the Albany, Cranbrook, Plantagenet LGA's and is typically associated with white sands or clay (Western Australian Herbarium, 1998-). The nearest record of this species is approximately four kilometres from the application area.

Priority 2 flora species are known from a few populations, some occurring within conservation lands such as nature reserves or national parks. Priority 3 and Priority 4 flora species occur over a wide geographical area and are known from several populations, some within conservation reserves, and so their conservation status is not considered to be under any immediate threat (Jones, 2015). Noting this, and the Completely Degraded to Degraded (Keighery, 1994) condition of application area, the proposed clearing is not likely to impact the conservation status of these species should any individuals occur within the application area.

As outlined in Principle (b), the application area is not likely to comprise of significant fauna habitat.

As outlined in Principle (c), the application area is not likely to contain rare flora.

As outlined in Principle (d), the application area is not likely to comprise the whole or a part of, or is necessary for the maintenance of a threatened ecological community (TEC) or Priority Ecological Community (PEC).

Given the above, the application area is not likely to contain a high level of biological diversity. The proposed clearing is not likely to be at variance to this Principle.

(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.

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

According to available databases, three conservation significant fauna are known to occur within the local area: Carnaby's Cockatoo (short-billed black-cockatoo) (*Calyptorhynchus latirostris*), Western Whipbird (*Psophodes nigrogularis* subsp. *nigrogularis*) and the Malleefowl (*Leipoa ocellata*) (DBCA, 2007-).

The application area is mapped as a potential foraging area for the Carnaby's Cockatoo. Carnaby's Cockatoo have a preference for foraging habitat that includes jarrah and marri woodlands and forest heathland and woodland dominated by proteaceous plant species such as *Banksia* spp., *Hakea* spp. and *Grevillea* spp. Noting the Completely Degraded to Degraded (Keighery, 1994) condition of the application area that does not contain suitable foraging species, the application area is not likely to contain significant Carnaby's Cockatoo foraging habitat.

The DWER site inspection noted the application area comprises vegetation severely impacted by historical agricultural activities and is considered to be in a Completely Degraded to Degraded (Keighery, 1994) condition with sparse native vegetation (DWER, 2017). Noting this, the application area does not contain suitable habitat for the remaining abovementioned fauna species and is not considered to comprise of significant habitat for fauna.

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

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

Proposed clearing is not at variance to this Principle

One rare flora species, *Androcalva perlaria*, a shrub, has been recorded within the local area (DBCA, 2007-). This species is found within wet and/or peaty habitat. This habitat is not found within the application area, and therefore does not comprise of habitat necessary for the continued existence of rare flora. Given the above, the proposed clearing is not at variance to this Principle.

(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.

Proposed clearing is not at variance to this Principle

The application area has been mapped within the boundaries of the ecological community “Proteaceae Dominated Kwongkan Shrublands of the Southeast Coastal Floristic Province of Western Australia”. This ecological community is listed as a Priority 3(iii) PEC by the Department of Biodiversity, Conservation and Attractions (DBCA), and as ‘Endangered’ under the *Environment Protection and Biodiversity Conservation Act 1999*. It is noted that approximately 5.924 hectares of this community, in a Very Good to Excellent (Keighery, 1994) condition, has been excluded from the application area.

The Kwongkan Shrublands comprises of shrublands dominated by plants from the family Proteaceae, including plants from the genera *Adenanthos*, *Banksia*, *Grevillea*, *Hakea*, *Isopogon* and *Lambertia* (Threatened Species Scientific Committee, 2014).

Noting the application area’s Completely Degraded to Degraded (Keighery, 1994) condition, and that the key diagnostic species for this TEC were not observed during the DWER site inspection (DWER, 2017), the application area is not likely to comprise the whole or a part of, or is necessary for the maintenance of a TEC.

It was identified that the area excised from the application area within the central portion resembled the occurrence of this TEC (DPIRD, 2017a and 2017b; DWER, 2017). The proposed clearing may increase the spread of weeds and dieback beyond the application area and impact on this occurrence of the TEC. A weed and dieback management condition will help mitigate impacts to the TEC.

The proposed clearing is not at variance to this Principle.

(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.

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 per cent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001).

The application area is located within the Esperance Plains Interim Biogeographic Regionalisation of Australia bioregion, which retains approximately 51 per cent of the pre-European vegetation extent, and the mapped Beard vegetation association 47 retains approximately 35 per cent of the pre-European vegetation extents within the bioregion (Government of Western Australia, 2018).

The local area retains approximately 18 per cent native vegetation cover. However, noting the extent of the proposed clearing, and the application area’s Completely Degraded to Degraded (Keighery, 1994) condition that does not contain a TEC, PEC or conservation significant flora or fauna, the application area is not likely to be significant as a remnant in an area that has been extensively cleared. In addition, as noted within Principle (d), 5.924 hectares of vegetation comprising a TEC, in Very Good to Excellent (Keighery, 1994) condition, has been excluded from the application area.

On this basis, the proposed clearing is not likely to be at variance to this Principle

Table 1: Vegetation extents

	Pre-European (ha)	Current Extent (ha)	Remaining (%)	Current extent in DBCA Managed Lands (%)
IBRA Bioregion*				
Esperance Plains	2,899,940	1,494,448	51	55
Beard Vegetation Association in Bioregion*				
47	959,935	336,490	35	53

- (f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.**

Proposed clearing is not at variance to this Principle

No watercourses or wetlands have been mapped within the application area. A DWER and Commissioner of Soil and Land Conservation site inspection did not record any riparian vegetation (DPIRD, 2017a; DWER, 2017).

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

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

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

The application area is located low in the landscape and its soils are mapped as Chillinup 3 Subsystem Map Unit 242Ch-3. These soils are described as linear dunes (oriented in northwest-southeast direction) and associated interdunal swales on aeolian sands (deep) deposited as linear sand dunes over Tertiary marine sediments. Pale, deep sand dominants with grey deep sandy duplex soils (DPIRD, 2027a and 2017b).

The vegetation within the application area is in a Completely Degraded to Degraded (Keighery, 1994) condition having been impacted by historical agricultural activities and is considered not to have any significant environmental values or biological diversity (DWER, 2017).

The Commissioner of Soil and Land Conservation provided a land degradation report following a site inspection. The report noted the application area has a moderate capability for the proposed end landuse, but advised that the sandy soil is at risk of wind erosion once the vegetation is removed. However this is manageable by the application of clay to the soil, as is currently practised by the landowner elsewhere on the property. Other forms of land degradation in the form of water erosion, salinity or eutrophication are low; no evidence of salinity occurring on the property was noted (DPIRD, 2017a; DWER, 2017).

The Commissioner concluded that the proposed clearing is not likely to cause appreciable land and that the proposed clearing is not likely to be at variance to this Principle.

- (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.**

Proposed clearing is not at variance to this Principle

The vegetation within the application area is an isolated remnant and has no vegetated linkage to any other nearby remnant. The nearest conservation estate is the Stirling Range National Park 10 kilometres northwest and Hassell National Park 10 kilometres southeast of the application area.

Given the distance to these national parks, the proposed clearing is not likely to have any impact on these conservation reserves.

The proposed clearing is not at variance to this Principle.

- (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.**

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

A land degradation report provided by the Commissioner of Soil and Land Conservation noted that "no hydrological information specific to the property has been identified", that no salinity is occurring on the property and that the risk of salinity causing land degradation is low. A DWER site inspection also did not report any evidence of salinity occurring onsite (DWER, 2017; DPIRD, 2017a).

As detailed within Principle (f), no watercourses or wetlands have been mapped within the application area.

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

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

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

A land degradation report provided by the Commissioner of Soil and Land Conservation noted that, based on the sandy soil type present and the application areas low position in the landscape, that the risk of the incidence or intensity of flooding causing land degradation is low (DPIRD, 2017a).

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

Planning instruments and other relevant matters.

No Aboriginal sites of significance have been mapped within the application area.

The application area is zoned rural under the City of Albany local Town Planning Scheme, with the primary land use identified as production from dryland agriculture and plantations with the secondary use identified as cropping.

The clearing permit application was advertised on the DWER website on 4 September 2017 with a 21 day submission period. No public submissions have been received in relation to this application.

4. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- 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 April 2018.
- Department of Primary Industries and Regional Development (DPIRD) (2017a) Commissioner of Soil and Land Conservation, land degradation advice received in relation to clearing permit application CPS 7683/1, received 2 November 2017 (DWER Ref: A1555478 and 1555480).
- Department of Primary Industry and Regional Development (DPIRD) (2017b). NRInfo Digital Mapping. Department of Primary Industry and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/> (accessed April 2018).
- Department of Water and Environment Regulation (DWER) (2017) Site inspection report for clearing permit application CPS 7683/1, undertaken 13 November 2017 (DWER Ref: A1678622).
- Government of Western Australia. (2018). 2017 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis
- 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.
- Threatened Species Scientific Committee (2014) Approved Conservation Advice for Proteaceae Dominated Kwongan Shrublands of the southeast coastal floristic province of Western Australia. Department of the Environment, Canberra.
- Western Australian Herbarium (1998-) FloraBase website- The Western Australian Flora. Department of Parks and Wildlife. <http://florabase.dpaw.wa.gov.au/> (Accessed April 2018).

GIS Databases:

- Aboriginal Sites of Significance
- Aerial imagery (accessed April 2018)
- Department of Biodiversity, Conservation and Attractions Estate
- Groundwater salinity
- Hydrography, linear
- SAC bio datasets (accessed April 2018)
- Soils, Statewide
- Wetlands