GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS
Area Permit Number: 8027/1
File Number: DER2018/000489
Duration of Permit: From 11 August 2018 to 11 August 2020

PERMIT HOLDER
Deaken & Associates Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE
Lot 5382 on Deposited Plan 206477, Red Gully

AUTHORISED ACTIVITY
The Permit Holder shall not clear more than 3 hectares of native vegetation within the area hatched yellow on attached Plan 8027/1.

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. **Fauna management**
   (a) Prior to undertaking any clearing authorised under this Permit, the area shall be inspected by a *fauna specialist* who shall identify *habitat tree(s)* suitable to be utilised for nesting by Carnaby's cockatoo (*Calyptorhynchus latirostris*).
   (b) Prior to clearing, any *habitat tree(s)* identified under condition 2(a) shall be inspected by a *fauna specialist* for the presence of fauna listed in condition 2(a).
   (c) Where fauna are identified under condition 2(b) of this Permit, the Permit Holder shall ensure that no clearing of, or within 10 metres of, the identified *habitat tree(s)* occurs.

3. **Records must be kept**
   The Permit Holder must maintain the following records for activities done in pursuant to this Permit:
   (a) Actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 1 of the Permit.
   (b) In relation to fauna management pursuant to condition 2 of this Permit the location of each Carnaby's cockatoo 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.

4. **Reporting**
   (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
      (i) of records required under condition 3 of this Permit; and
      (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year.
   (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 30 June of each year.
   (c) Prior to 11 May 2020 the Permit Holder must provide to the CEO a written report of records required under condition 3 of this Permit where these records have not already been provided under condition 4(a) of this Permit.

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

fauna specialist means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna; and

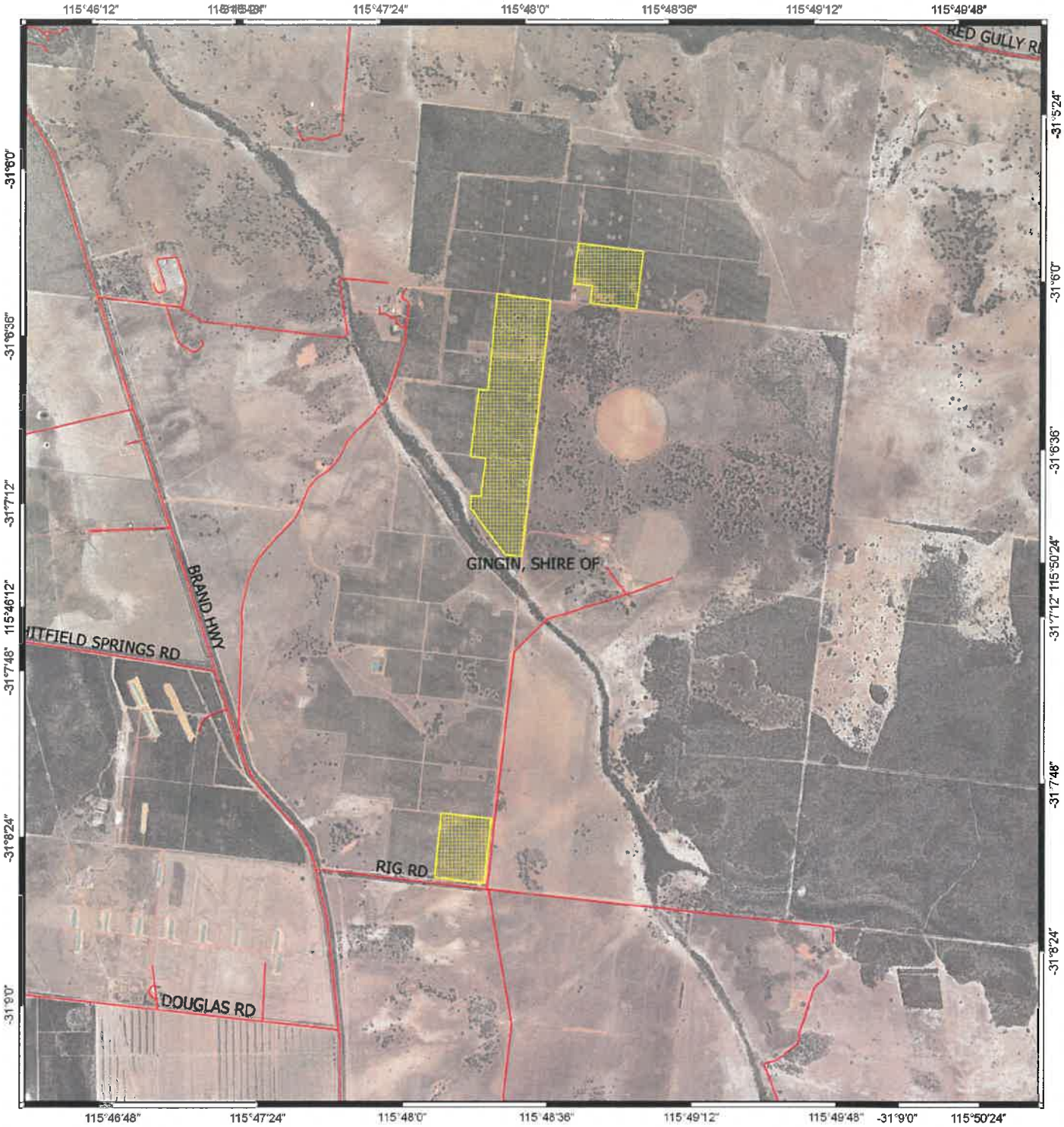
habitat tree(s) means trees that have a diameter, measured at 1.5m above the ground, of 50cm or greater, that contain one or more hollows.

Abbie Crawford
MANAGER
NATIVE VEGETATION REGULATION

Officer delegated under Section 20
of the Environmental Protection Act 1986

12 July 2018

Plan 8027/1



Legend

CPS areas approved to clear

base layers

roads

Local Government Authority

Virtual Mosaic - WA Now

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1000 0 1000 m

MGA 94
Geocentric Datum of Australia 1994

..... Date 12/7/18

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.: 8027/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Deaken & Associates Pty Ltd
Application received date: 16 March 2018

1.3. Property details

Property: LOT 5382 ON PLAN 206477, RED GULLY
Local Government Authority: GINGIN, SHIRE OF
Localities: RED GULLY

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
3		Mechanical Removal	Horticulture

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 12 July 2018
Reasons for Decision: The clearing permit application was received on 16 March 2018 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 may be at variance to Principle (b) and is not likely to be at variance to the remaining Principles.

Through assessment it has been determined that the vegetation under application has the potential to provide nesting habitat for Carnaby's cockatoo (*Calyptorhynchus latirostris*). To mitigate the potential impact to this species a condition has been placed on the permit requiring the identification of Carnaby cockatoo habitat trees prior to clearing and for no clearing to occur within 10 metres of any identified Carnaby's cockatoos.

Given the above, the Delegated Officer decided to grant a clearing permit subject to a fauna management condition.

2. Site Information

Clearing Description The application is for the proposed clearing of three hectares of native vegetation within Lot 5382 on Plan 206477, Red Gully, for the purpose of planting olive trees.

Vegetation Description The vegetation within the application area is mapped as:
Reagan Complex - Vegetation ranges from low open woodland of Banksia species *Eucalyptus todtiana* (pricklybark) to closed heath depending on the depth of soil.

Moondah Complex – Low closed to low open forest of *Banksia attenuata* (slender Banksia) - Banksia menziesii (firewood Banksia) - pricklybark- *Banksia prionotes* (acorn Banksia) on slopes, open woodland of *Corymbia calophylla* (marri) - Banksia species in valley.

The application area was inspected by Department of Water and Environmental Regulation (DWER) Officers on 16 May 2018 (DWER, 2018a) and was described as consisting primarily of scattered pricklybark, marri and *Nuytsia floribunda* (Christmas tree) over olive trees and is in a completely degraded (Keighery, 1994) condition.

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

Figure 1: Map of application area (cross hatched blue)

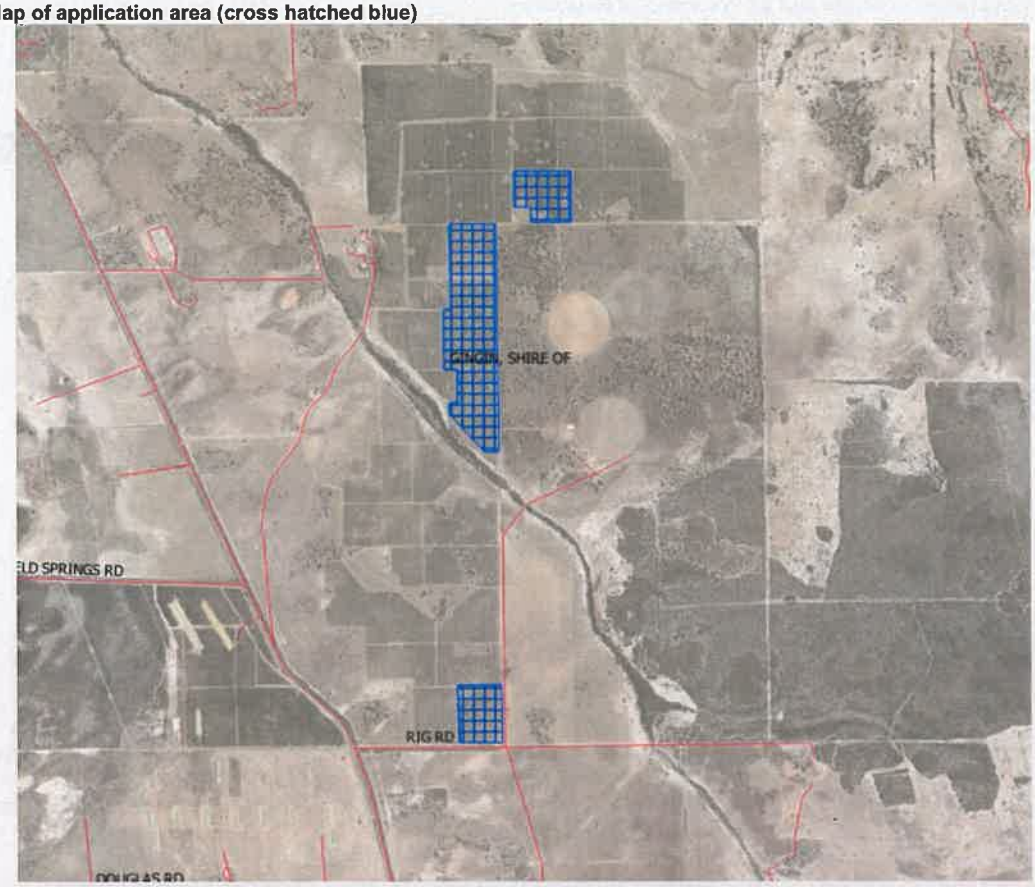

Figure 2: *Eucalyptus toditana* within application area

Figure 3: Marri within application area

Figure 4: *Nutsia floribunda* within application area

3. Assessment of application against clearing principles

The applicant proposes to clear three hectares of native vegetation within Lot 5382 on Deposited Plan 206477, Red Gully for the purpose of planting olive trees.

The application area predominately consists of scattered pricklybark, marri and Christmas trees over olive trees and is in a completely degraded (Keighery, 1994) condition.

Forty priority flora and six rare flora species have been recorded in the local area (10 kilometre radius surrounding the application area). Banksia dominated woodlands of the Swan Coastal Plain IBRA Region is the closest threatened ecological community to the application area. Given the completely degraded (Keighery, 1994) condition of the application area it is unlikely to contain priority or rare flora, or a priority or threatened ecological community.

Two terrestrial fauna species listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950* have been recorded within the local area, being **Carnaby's cockatoo and** *Leipoa ocellata* (Malleefowl) (DBCA, 2007-). Noting the habitat preferences of these species (DBCA, 2016), and the vegetation type and condition of the application area, the application area may comprise suitable habitat for the **Carnaby's cockatoo.**

Carnaby's cockatoo is listed as endangered under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Black cockatoos breed in large hollow-bearing trees, generally within woodlands or forests or in isolated trees (Commonwealth of Australia, 2012). These species nest in hollows in live or dead trees of marri, *Eucalyptus marginata* (jarrah), *Eucalyptus gomphocephala* (tuart), *Eucalyptus diversicolor* (karri), *Eucalyptus wandoo* (wandoo), *Eucalyptus salmonophloia*

(salmon gum), *Eucalyptus rudis* (flooded gum), *Eucalyptus loxophleba* (york gum), *Eucalyptus accedens* (powder bark), *Eucalyptus megacarpa* (bullich) and *Eucalyptus patens* (blackbutt) (Commonwealth of Australia, 2012). Black cockatoos 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* sp., *Hakea* sp. and *Grevillea* sp. (Commonwealth of Australia, 2012).

The application area contains scattered marri trees which is a preferred foraging species for Carnaby's cockatoo, however given the completely degraded (Keighery, 1994) condition of the application area it is not likely to provide significant foraging habitat for this species.

The application area is within a confirmed breeding area for Carnaby's cockatoo. The site inspection identified a number of mature marri, however of the trees inspected none were observed to contain hollows suitable for the Carnaby's cockatoo (DWER, 2018a). The site inspection did not cover the whole application area and therefore suitable hollows may be present in areas not inspected. To ensure that Carnaby's cockatoos are not impacted the permit has been conditioned to ensure that hollow are not cleared where Carnaby's cockatoos are identified.

The National Objectives and Targets for Biodiversity Conservation include a target that prevents the clearance of ecological communities with an extent below 30 per cent of that present pre-European settlement (Commonwealth of Australia, 2001). The Reagan vegetation complex retains 33 per cent vegetation and the Moondah vegetation complex retains 40 per cent vegetation, which are above the minimum 30 per cent representation threshold. The local area retains approximately 40 per cent native vegetation.

The soil type in the application area is mapped as yellow earthy sands with siliceous sands (DPIRD, 2017a and b). Sandy soils are prone to wind erosion, however given the completely degraded (Keighery, 1994) condition of the application area the proposed clearing is not likely to cause appreciable land degradation.

Groundwater salinity within the application area is 1000-3000 milligrams per litre total dissolved solids, which is classified as 'brackish-saline' (DWER, 2018b). The majority of the application area consists of scattered trees and therefore the proposed clearing is not likely to impact on groundwater quality.

Within the application area no watercourses or wetlands have been mapped and therefore the clearing is not likely to deteriorate surface water quality.

The nearest conservation area is Bartletts Well Nature Reserve, located approximately two kilometres from the application area. Considering the distance of the application area to this nature reserve it is not likely to impact on the environmental values of this conservation area.

Given the porous nature of the sandy soils and that the application area consists of scattered trees the proposed clearing is not likely to cause or exacerbate the incidence or intensity of flooding.

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

Planning instruments and other relevant matters

The Gingin Brook Waggyl Site, which is a Historical, Mythological, Camp, Hunting Place, Plant Resource, Water Source, is mapped within the application area. It is the applicant's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Aboriginal Sites of Significance are damaged through the proposed clearing process.

The clearing permit application was advertised on the DWER website on 26 May 2018 with a 7 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.

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 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 May 2018.

Department of Biodiversity, Conservation and Attractions (DBCA) (2016) Fauna Profiles: Malleefowl *Leipoa ocellata*. URL: https://www.dpaw.wa.gov.au/ Accessed July 2018.

Department of Primary Industries and Regional Development (DPIRD) (2017a). NRInfo Digital Mapping. Department of Primary Industries and Regional Development. Government of Western Australia. URL: https://maps.agric.wa.gov.au/nrm-info/ Accessed 12 March 2018.

Department of Primary Industries and Regional Development (DPIRD) (2017b). NRInfo Digital Mapping. Department of Primary Industries and Regional Development. Government of Western Australia. URL: https://maps.agric.wa.gov.au/nrm-info/ Accessed 12 March 2018.

Department of Water and Environmental Regulation (DWER) (2018a) Site Inspection Report for Clearing Permit Application CPS 8027/1. Site inspection undertaken 16 May 2018 (DWER Ref: A1677044).

Department of Water and Environmental Regulation (DWER) (2018b) Understanding Salinity. URL: http://www.water.wa.gov.au/. Accessed July 2018.

Keighery, B.J., 1994. Bushland Plant Survey: a guide to plant community survey for the community, *Wildflower Society of WA (Inc)*, Nedlands, Western Australia.