



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

### PERMIT DETAILS

Area Permit Number: CPS 8314/2  
File Number: DWERVT2000  
Duration of Permit: From 14 March 2020 to 14 March 2024

### PERMIT HOLDER

DUP (WA) Pty Ltd

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 3 on Plan 11417, Lennard Brook

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than one hectare of native vegetation within the area hatched yellow in Schedule 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*:

- (d) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (e) ensure that no known *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (f) restrict the movement of machines and other vehicles to the limits of the area to be cleared.

### 3. Records to be kept

The permit holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

**Table 1: Records that must be kept**

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	<ul style="list-style-type: none"><li>(a) the species composition, structure, and density of the cleared area;</li><li>(b) 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;</li><li>(c) the date that the area was cleared;</li><li>(d) the size of the area cleared (in hectares);</li><li>(e) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 1; and</li><li>(f) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> and <i>dieback</i> in accordance with condition 2.</li></ul>

### 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

In this permit, the terms in Table have the meanings defined.

**Table 2: Definitions**

Term	Definition
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the <i>Environmental Protection Act 1986</i> .
clearing	has the meaning given under section 3(1) of the EP Act.
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.
fill	means material used to increase the ground level, or to fill a depression.
dieback	means the effect of <i>Phytophthora</i> species on native vegetation.
department	means the department established under section 35 of the <i>Public Sector</i>

<b>Term</b>	<b>Definition</b>
	<i>Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
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.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
weeds	means any plant – <ul style="list-style-type: none"> <li>(a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; or</li> <li>(b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or</li> <li>(c) not indigenous to the area concerned.</li> </ul>

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**END OF CONDITIONS**




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**Meenu Vitarana**

**A/MANAGER**

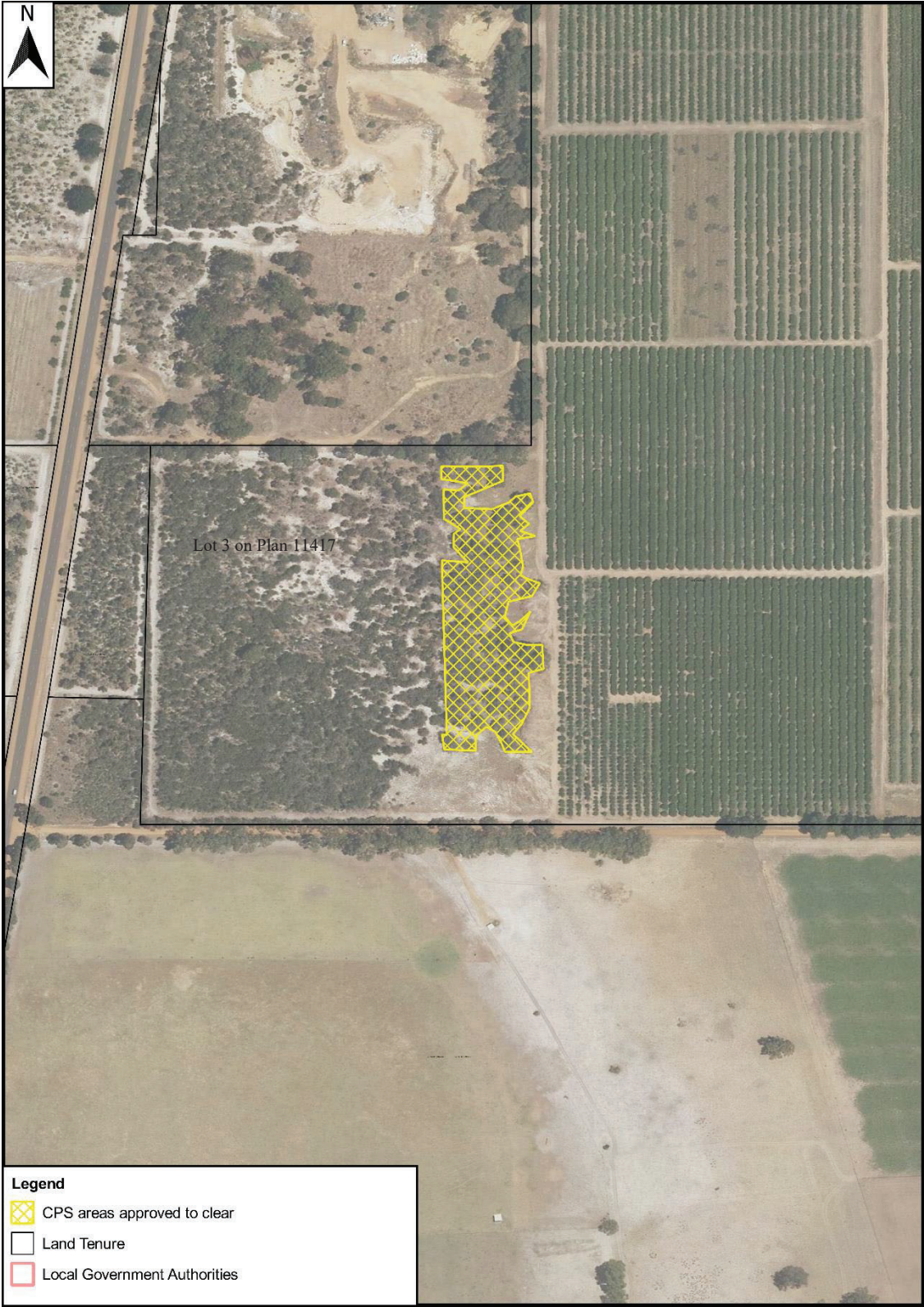
**NATIVE VEGETATION REGULATION**

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

14 March 2022

# SCHEDULE 1

The boundary of the area authorised to be cleared is shown in the map below (Figure 1).



**Figure 1: Map of the boundary of the area within which clearing may occur**



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 8314/2  
Permit type: Area Permit

### 1.2. Applicant details

Applicant's name: DUP (WA) Pty Ltd  
Application received date: 4 February 2022

### 1.3. Property details

Property: LOT 3 ON PLAN 11417, LENNARD BROOK  
Local Government Authority: GINGIN, SHIRE OF  
Localities: LENNARD BROOK

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Granted  
Decision Date: 14 March 2022  
Reasons for Decision:

This amendment is a result of an application to amend permit CPS 8314/1 to extend the permit duration by two years.

A review of current environmental information identified that the environmental values present within the permit area remain largely unchanged from the previous assessments of the permit. The Delegated Officer determined that the extent to which the impacts of the proposed clearing present a risk to biological, conservation, or land and water resource values remains unchanged from the original assessment and can be found in the Decision Report prepared for Clearing Permit CPS 8314/1.

Noting the above, the Delegated Officer considered that, given the nature of the proposed amendment, the existing conditions under Clearing Permit CPS 8314/1 are sufficient to limit the impacts of the proposed clearing:

- Avoid, minimise and reduce the impacts and extent of clearing, and
- Take hygiene steps to minimise the risk of the introduction and spread of weeds.

In determining to amend the clearing permit subject to the above management conditions, the Delegated Officer found that the proposed clearing is not likely to lead to an unacceptable risk to the environment.

## 2. Site Information

**Clearing Description** The application proposes to clear 1 hectares of native vegetation at Lot 3 on Plan 11417, Lennard Brook, for the purpose of horticulture.

**Vegetation Description** The application area is mapped in the 'Swan Coastal Plain' region of the Interim Biogeographic Regionalisation for Australia (IBRA), and is mapped as the Gingin complex, described as Open woodland of *Corymbia calophylla* (Marri) with second storey of *Banksia grandis* (Bull Banksia) and *Nuytsia floribunda* (Hedde et al., 1980).

A site inspection of the application area undertaken for CPS 8314/1 was conducted by Department of Water and Environmental Regulation (DWER) on 20 March 2019. The site inspection identified that vegetation within the CPS 8314/2 application area comprises of *Banksia* woodland.

A land degradation site inspection of the property (31 January 2019) found the native vegetation on the property to be dominated by low woodland and shrubland, occasional trees; *Banksia prionotes* (Acorn Banksia), some stunted *Eucalyptus marginata* (Jarrah) and *E. todtiana* (Coastal Blackbutt) and *Adenanthos* (DPIRD, 2019a).

**Vegetation Condition** The condition of the vegetation within the CPS 8314/2 application area is considered to be Degraded, described as Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).

The condition of the vegetation was determined based on the DWER site inspection (DWER, 2019).

#### Soil type

The application area is mapped as the soil subsystem Coonambidgee 1 Subsystem (222Cb), described as Gently sloping deep, white sands that occasionally overlies pale yellow sand that maybe weakly clayey below a metre. Low woodland and shrubland, occasional trees. *Banksia prionotes*, some stunted *E. marginata* and *E. todtiana* and *Adenanthos*; and

The land degradation site inspection described the soil type and landscape as, a mixture of flat plain with occasional low dunes and gently sloping deep, white sands. The application area is considered to occupy lower and mid slope position in the landscape (DPIRD, 2019b).

#### Comments

The local area is considered a 10 kilometre radius of the application area.

### 3. Minimisation and mitigation measures

The avoidance and mitigation measures are outlined in the decision report for CPS 8314/1. During the assessment of CPS 8314/1, the applicant amended the clearing footprint from 7 hectares to 1 hectare following advice provided to the applicant by DWER.

### 4. Assessment of application against clearing principles

This amendment is a result of an application to amend permit CPS 8314/1 to extend the permit duration by two years.

Since an assessment of the clearing principles was undertaken for Clearing Permit 8314/1, several threatened and priority flora species have been recorded within the local area that were not considered in the past assessment. Of these, only *Chamelaucium lullfitzii*, which is found in similar habitat to flora species *Chamelaucium* sp. Gingin (N.G. Marchant 6) (Western Australian Herbarium, 1998-) considered during the assessment of CPS 8314/1, is likely to occur in the same soil type as the application area. However, as per the likelihood assessment of *Chamelaucium* sp. Gingin (N.G. Marchant 6) for CPS 8314/1, noting that the vegetation within the application area is in a Degraded (Keighery, 1994) condition consisting of an understorey dominated by weeds, it is not likely to contain *Chamelaucium lullfitzii*.

Since the assessment of CPS 8314/1, several priority, migratory and conservation dependent flora species have been recorded within the local area that were not considered in the past assessment. Of these, only *Isoodon fusciventer* (quenda) is considered likely to occur within the application area. Given the large distribution of this species and the availability of suitable habitat within the local area, the proposed clearing is unlikely to impact on the species survival within the local or regional area.

Other than this, the assessment against the clearing principles matters has not changed and can be found in clearing permit decision report CPS 8314/1. As per CPS 8314/1, the clearing proposed under CPS 8314/2 is not likely to be at variance with any of the clearing principles.

#### Planning instruments and other relevant matters.

On 10 March 2022, the Shire of Gingin (the Shire) advised that the Shire has no objection to the application to clear native vegetation, noting that the Shire issued development approval for the existing Orchard to expand into the location subject to the clearing request (Shire of Gingin, 2022).

There is one registered Site of Aboriginal Significance within the application area, Gingin Brook Waggyi Site (Site ID: 20008) It is the proponent's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Sites of Aboriginal Significance are damaged through the clearing process.

The clearing permit amendment application was advertised on the DWER website on 22 February 2022 with a 7 day submission period. No submissions were received.

### 5. References

- Department of Primary Industries and Regional Development (DPIRD). (2019a). *Land degradation advice provided in relation to clearing permit application CPS 8314/1, including Land Degradation Assessment Report* (DWER ref: A1771294)
- Department of Primary Industries and Regional Development (DPIRD) (2019b). *NRInfo Digital Mapping. Department of Primary Industries and Regional Development*. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/> (accessed 3 March 2021).
- Department of Water and Environmental Regulation (DWER). (2019) *Site inspection report for CPS 8314/1*. (DWER Ref: A1775320)
- DUP (WA) Pty Ltd (2022). Application to amend clearing permit CPS 8314/1. (DWER ref: DWERDT559630).
- Hedde, 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.

Shire of Gingin. (2022). Direct interest advice provided in relation to clearing permit application CPS 8314/12, received 10 March 2022. Shire of Gingin, Western Australia (DWER Ref: DWERDT574591).  
Western Australian Herbarium. (1998-). FloraBase website- The Western Australian Flora. Department of Parks and Wildlife. <http://florabase.dpaw.wa.gov.au/> (Accessed March 2019).