



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 8330/1
File Number: DWERT3010
Duration of Permit: 12 July 2019 to 12 July 2021

PERMIT HOLDER

Leschenault Catholic Primary School

LAND ON WHICH CLEARING IS TO BE DONE

Lot 900 on Plan 70922, Australind

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.3 hectares of native vegetation within the area hatched yellow on attached Plan 8330/1.

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. Trees not authorised to clear

This Permit does not authorise the Permit Holder to clear:

- tuart (*Eucalyptus gomphocephala*) trees with a diameter at breast height of 50 centimetres or greater, and
- peppermint (*Agonis flexuosa*) trees with a diameter at breast height of greater than ten centimetres, with the exception of the three peppermint trees indicated on attached Plan 8330/1. Coordinates of the three peppermint trees are:

- 115.724002, -33.283605;
- 115.723966, -33.283403;
- 115.723859, -33.283248.

3. 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 *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

4. 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 in accordance with condition 3 of this Permit.

5. Reporting

The Permit Holder must provide to the *CEO* the records required under condition 4 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) 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.

 Ryan Mincham
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Ryan Mincham
MANAGER
NATIVE VEGETATION REGULATION

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

19 June 2019

Plan 8330/1

115°43.380'E

115°43.440'E

115°43.500'E

33°16.980'S

33°17.040'S

33°17.100'S

33°16.980'S

33°17.040'S

33°17.100'S



115°43.380'E

115°43.440'E

115°43.500'E

Legend

● Peppermint tree approved to clear

▨ CPS areas approved to clear
base layers

□ Cadastre

— Road Centrelines

□ Local Government Authorities

Image



MGA 94
Geocentric Datum of Australia 1994

R. Mincham

Ryan Mincham

2019.06.19

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Officer delegated under Section 20 of the Environmental Protection Act
1986



GOVERNMENT OF
WESTERN AUSTRALIA



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8330/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Catholic Education Leschenault Catholic Primary School
Application received date: 18 January 2019

1.3. Property details

Property: Lot 900 on Plan 70922, Australind
Local Government Authority: Shire of Harvey
Localities: Australind

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.3		Mechanical Removal	Recreation

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 19 June 2019

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*. It has been concluded that the proposed clearing is not likely to be at variance to the clearing principles.

The Delegated Officer also noted the avoidance and minimisation measures proposed by the applicant and determined that the proposed clearing is not likely to result in unacceptable environmental impacts.

2. Site Information

Clearing Description The application is to clear 0.3 hectares of native vegetation within Lot 900 on Plan 70922, Australind, for the purpose of recreation (Figure 1).

Vegetation Description The vegetation within the application area is mapped as the Swan Coastal Plain vegetation 'Karrakatta Complex – Central and South: Open forest and woodland' described as predominantly open forest of *Eucalyptus gomphocephala* (Tuart) - *Eucalyptus marginata* (Jarrah) - *Corymbia calophylla* (Marri) and woodland of *Eucalyptus marginata* (Jarrah) - Banksia species. *Agonis flexuosa* (Peppermint) is co-dominant south of the Capel River (Hedde et al., 1980).

Vegetation Condition Good: Vegetation structure significantly altered by very obvious signs of multiple disturbance. Retains basic vegetation structure or ability to regenerate to it;

to

Degraded: Basic vegetation structure severely impacted by disturbance. Scope for regeneration but not to a state approaching good condition without intensive management (Keighery, 1994).

The vegetation condition of the application area was determined during a site inspection conducted by Department of Water and Environmental Regulation (DWER) environmental officers on 5 June 2019 (DWER, 2019).

Soil and Landform Type The application area is mapped as the Spearwood S2b Phase subsystem, described as lower slopes (1-5%) of dune ridge with shallow to deep siliceous yellow-brown sands and common limestone outcrop (DPIRD, 2017).

Local area The local area referred to in the assessment of this application is defined as a five kilometre radius measured from the perimeter of the application area.



Figure 1: Application area (outlined in blue)



Figure 2: Northern aspect of application area



Figure 3: Looking south of application area, peppermint trees to be retained



Figure 4: Southern aspect of application area



Figure 5: Degraded condition of southern aspect of application area

3. Minimisation and mitigation measures

The applicant has applied to clear up to 0.3 hectares within the application area. The applicant has stated that tuart trees with a diameter at breast height of 50 centimetres or greater, and the majority of the peppermint trees with a diameter at breast height of greater than 10 centimetres within the application area will be retained, to avoid and minimise potential impacts to fauna habitat. The retention of the three peppermint trees identified in Plan 8330/1 was considered by the applicant, however, was not deemed feasible for the design of the oval extension. Due to the retention of the majority of the mature peppermint trees within the application area, the measures taken to avoid and minimise the potential impacts from the proposed clearing are considered to be adequate.

4. Assessment of application against clearing principles

(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 condition of the application area is considered to be in 'Good' to 'Degraded' condition, based on the site inspection conducted by DWER environmental officers (DWER, 2019). According to available databases, three Threatened flora species and nine priority flora species have been recorded within the local area. Based on the mapped soil and vegetation types within the application area, one Threatened flora species and two priority flora species could potentially occur within the application area.

Caladenia huegelii (Threatened) is known from a total of 141 records (DBCA, 2007-) from Armadale, Bayswater, Busselton, Canning, Cockburn, Gosnells, Harvey, Melville, Murray, Perth, Wanneroo and Waroona areas, at sites associated with grey or brown sand and deep litter (Western Australian Herbarium, 1998-). The nearest record of this species is approximately 2.9 kilometres from the application area.

Lasiopetalum membranaceum (Priority 3) is known from a total of 34 records from Cranbrook and Gnowangerup areas, at sites associated with sand over limestone (Western Australian Herbarium, 1998-). The nearest record of this species is approximately 0.8 kilometres from the application area.

Caladenia speciosa (Priority 4) is known from a total of 59 records from Bunbury, Busselton, Capel, Dandaragan, Dardanup, Gingin, Harvey, Murray, Toodyay, Victoria Plains, Wandering and Waroona areas, at sites associated with deep sand. It is also known to occur in jarrah/marri/tuart woodland with *Agonis flexuosa* (Western Australian Herbarium, 1998-). The nearest record of this species is approximately 1.9 kilometres from the application area.

The application area comprise suitable habitat for these species, however noting the distribution of these species and the number of associated records, the proposed clearing is not likely to have a significant impact on the conservation status of these conservation significant species. Additionally, the species *Caladenia huegelii* tends to favour areas of dense undergrowth (DEC, 2009), which is not present within the application area (DWER, 2019). The presence of *Caladenia huegelii* within the application area is unlikely due to the lack of dense undergrowth and parts of the area being impacted by disturbance, as this species is not a disturbance specialist.

The application area includes mature tuart trees (*Eucalyptus gomphocephala*) and peppermint trees (*Agonis flexuosa*) (Shire of Harvey, 2019). Mature tuart trees have ecological importance as they can provide nesting sites and food sources for native birds and insects, in addition to providing linkage between other areas of tuart woodlands. Additionally, remnant tuart communities are poorly represented along the Swan Coastal Plain, with only 35 per cent of the estimated 111,600 hectares of tuart woodland remaining (Shire of Harvey, 2019). Taking this into consideration, a condition requiring the retention of mature tuart trees will assist in mitigating impacts to the remnant tuarts.

As assessed under principle (b), it is unlikely that the application area is a significant habitat for fauna, given the location and relatively small size of the application area. No hollows were observed from the mature trees within the application area, and no western ringtail possum scats, dreys or other evidence of occurrence was observed during the site inspection (DWER, 2019). Noting that the applicant will retain mature tuart trees and the majority of the peppermint trees within the application area, the proposed clearing is not likely to significantly impact on conservation significant fauna habitat.

According to available datasets, no priority or threatened ecological communities have been recorded within the application area.

Given the above, it is unlikely that the application area provides a significant habitat for conservation significant flora and fauna species. The application area included areas in 'Degraded' condition (Keighery, 1994) and weeds were observed, such as *Acacia iteaphylla* (Flinders Range wattle). The application area is not considered to comprise a high 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.

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

According to available databases, 10 threatened fauna species, one Priority 3 fauna species, five Priority 4 fauna species, one fauna species classified as specially protected fauna and 17 fauna species protected under international agreement have been recorded within the local area (DBCA, 2007-).

Noting the habitat requirements of these species, the application area may comprise suitable habitat for Carnaby's cockatoo (*Calyptorhynchus latirostris*), Baudin's cockatoo (*Calyptorhynchus baudinii*), forest red-tailed black cockatoo (*Calyptorhynchus baudinii*) (collectively known as black cockatoos) and western ringtail possums (*Pseudocheirus occidentalis*).

Carnaby's cockatoo is listed as Endangered and Baudin's cockatoo and forest red-tailed cockatoo are listed as Vulnerable under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Black cockatoos nest in hollows in live or dead trees of karri, marri, wandoo, tuart, salmon gum, jarrah, flooded gum, York gum, powder bark, bullich and blackbutt (Commonwealth of Australia, 2012). During the site inspection, no hollows were observed from the mature trees within the application area (DWER, 2019).

Tuart woodlands with peppermint trees are important habitat for western ringtail possums. While this habitat is present within the application area, there is a road located directly east of the application area and to the west of the application area is the existing school oval which is used extensively by the students. Given the location and relatively small size of the application area, it is unlikely that the application area would serve as a significant habitat for western ringtail possums. There is a relatively large extent of remnant native vegetation across the road from the application area, which is more likely to be a significant habitat for western ringtail possums. It is unlikely that western ringtail possums will cross the road from the application area due to their arboreal nature. No western ringtail possum scats, dreys or other evidence of occurrence was observed within the application area (DWER, 2019). While it is unlikely that the application area comprises a significant habitat for western ringtail possums, a condition requiring the retention of mature tuart trees, as well as the majority of peppermint trees will assist in mitigating potential impacts to western ringtail possum individuals that may utilise the application area.

Given the above, the application area is not likely to be a significant habitat for fauna species.

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, Threatened flora.

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

According to available databases, three Threatened flora species have been recorded within the local area. The application area does not support habitat for two of the recorded Threatened flora species due to the mapped vegetation type. However, one Threatened flora species could potentially occur within the application area:

Caladenia huegelii (Threatened) is known from a total of 141 records (DBCA, 2007-) from Armadale, Bayswater, Busselton, Canning, Cockburn, Gosnells, Harvey, Melville, Murray, Perth, Wanneroo and Waroona, at sites associated with grey or brown sand and deep litter (Western Australian Herbarium, 1998-). The nearest record of this species is approximately 2.9 kilometres from the application area. Due to the absence of the preferred habitat of *Caladenia huegelii* (DWER, 2019) within the application area, it is unlikely that this species occurs within the application area. However, should any individuals occur within the application area, the proposed clearing is not likely to impact the conservation status of this species due to its wide distribution and number of associated records.

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

No threatened ecological communities (TEC) are mapped within the application area. The Banksia dominated woodlands of the Swan Coastal Plain TEC (under the EPBC Act) occurs within the local area. The site inspection identified that the vegetation within the application area does not meet the structure and composition characteristic requirements of the TEC (DWER, 2019), as it did not have a dominant Banksia component and was dominated by peppermint trees.

The application area is not likely to comprise the whole or part of, or be necessary for the maintenance of a TEC.

Given the above, the proposed clearing is not likely to be 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).

In assessing the risk of further loss and subsequent cumulative effects, consideration has been given to the extent of native vegetation remaining and what is currently managed as conservation estate:

- As indicated in Table 1, the current vegetation extent for the bioregion is above the 30 per cent threshold,
- While the current extent of the Swan Coastal Plain vegetation complex is below 30 per cent, the local area retains approximately 38 per cent (2,308.81 hectares) vegetative cover, and the proposed clearing will reduce this by approximately 0.01 per cent.

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

Table 1: Vegetation extents (Government of Western Australia, 2018)

	Pre-European (ha)	Current Extent (ha)	Remaining (%)	Current Extent in DBCA Managed Lands	
				(ha)	(%)
IBRA Bioregion					
Swan Coastal Plain	1,501,221.93	579,813.47	38.62	222,916.97	38.45
Swan Coastal Plain Vegetation Complex					
Karrakatta Complex – Central and South	53,080.99	12,467.20	23.49	4,282.73	8.07
Local area					
5 kilometre radius	6,086.38	2,308.81	37.93	-	-

(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 likely to be at variance to this principle

The application area is approximately 230 metres west of Collie River, and there are existing buffer areas for the waterway. There are no watercourses or wetlands mapped within the application area, therefore native vegetation within the application area is not considered to be growing in, or in association with a watercourse or wetland.

Given the above, the proposed clearing is not likely to be 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 soil type 'Spearwood S2b Phase subsystem' has been mapped within the application area which is described as lower slopes (1-5%) of dune ridge with shallow to deep siliceous yellow-brown sands and common limestone outcrop (DPIRD, 2017).

While the soils associated with the application area has high to extreme risk of wind erosion and moderate to high risk of salinity (Table 2), the size of the application area is relatively small and majority of the trees will be retained. Therefore it is considered that the risk of wind erosion and salinity is low.

Table 2: Land degradation risk levels

Risk categories	Spearwood S2b Phase subsystem
Wind erosion	>70% of map unit has a high to extreme wind erosion risk
Water erosion	10-30% 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
Subsurface Acidification	10-30% of map unit has a high subsurface acidification risk or is presently acid
Subsurface compaction	10-30% of the map unit has a high subsurface compaction risk
Flood risk	<3% of the map unit has a moderate to high flood risk
Waterlogging	<3% of map unit has a moderate to very high waterlogging risk
Water repellence	10-30% of map unit has a high water repellence risk
Phosphorus export risk	10-30% of map unit has a high to extreme phosphorus export risk

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 likely to be at variance to this principle

According to available databases, the nearest conservation area is Morangarel Nature Reserve, which is approximately 2.1 kilometres south-west of the application area. Noting the distance to the nature reserve and the size of the application area, the proposed clearing is unlikely to impact on the environmental values of the conservation area.

Given the above, the proposed clearing is not likely to be 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

The application area comprises 0.3 hectares, and as assessed within Principle (e), the proposed clearing will reduce the native vegetation cover within the local area by 0.01 per cent or less as mature tuart trees and peppermint trees will be retained. Given the size of the application area and retention of these trees, the proposed clearing is not likely to deteriorate the quality of groundwater.

As assessed under Principle (f), no watercourses or wetlands are present within the application area. Given the absence of the watercourses within the application area, the proposed clearing is not likely to impact on the quality of surface water.

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

As assessed within Principles (e) and (f), the proposed clearing will reduce the native vegetation cover within the local area by 0.01 per cent or less, and there are no watercourses or wetlands present within the application area. Noting the size of the application area and absence of watercourses and wetlands within the application area, it is unlikely that the proposed clearing will cause, or exacerbate, the incidence or intensity of flooding.

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

Planning instruments and other relevant matters.

The Shire of Harvey advised that the applicant was issued development approval for earthworks, fencing and clearing of native vegetation within the application area, subject to the applicant being granted a clearing permit under the *Environmental Protection Act 1986* (Shire of Harvey, 2019). The Shire of Harvey also requested the retention of mature tuart trees within the application area due to the poor representation of remnant tuart communities along the Swan Coastal Plain, and raised the importance of the habitat present within the application area for western ringtail possums (Shire of Harvey, 2019).

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

The clearing permit application was advertised on the DWER website on 20 February 2019 with a 21 day submission period. One public submission has been received in relation to this application, raising concerns over the absence of survey data, potential presence of conservation significant species or vegetation communities and the significance of tree cover. The Department considers the decision not to require the Permit Holder to provide survey data consistent with its published policies. Specifically, the document titled '*A guide to the assessment of applications to clear native vegetation under Part V of the Environmental Protection Act 1986*' (the Guide to Assessments, December 2014) states that "surveys and information may be required from the applicant where the scale and nature of the clearing application is likely to have a moderate or high impact on the environment". A site inspection of the application area was conducted by DWER environmental officers, which identified the environmental values of the application area. In this instance, the Delegated Officer determined that the application was likely to have a low impact on the environment and therefore survey data was not required. The potential presence of conservation significant species or vegetation communities have been addressed in this assessment, and the applicant has committed to retaining tuarts with diameter at breast height of 50 centimetres or greater, and the majority of the peppermint trees within the application area (Leschenault Catholic Primary School Australind, 2019). Therefore the proposed clearing will not significantly impact fauna habitat and tree cover within the application area.

5. 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 June 2019.
- Department of Environmental and Conservation (DEC) (2009). Grand Spider Orchid (*Caladenia huegelii*) Recovery Plan. Commonwealth Department of the Environment, Water, Heritage and the Arts, Canberra.
- Department of Primary Industries and Regional Development (DPIRD) (2017). NRInfo Digital Mapping. Accessed at <https://maps.agric.wa.gov.au/nrm-info/> Accessed February 2019. Department of Primary Industries and Regional Development. Government of Western Australia.
- Department of Water and Environmental Regulation (DWER) (2019). CPS 8330/1 Site inspection. (DWER ref. A1796535).
- Government of Western Australia (2018) 2018 South West Vegetation Complex Statistics. Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions, Perth, <https://catalogue.data.wa.gov.au/dataset/dbca>
- 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.
- Leschenault Catholic Primary School Australind (2019) Correspondence in relation to clearing permit application CPS 8330/1. Received 3 May 2019. (DWER ref. A1785709).

Shire of Harvey (2019) Comments on clearing permit application CPS 8330/1. Received 1 March 2019 (DWER ref. A1771235).
Western Australian Herbarium (1998-). FloraBase - the Western Australian Flora. Department of Biodiversity, Conservation and
Attractions. <https://florabase.dpaw.wa.gov.au/> Accessed August 2018.