



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 8332/1
File Number: DWERT2967
Duration of Permit: From 25 April 2020 to 25 April 2022

PERMIT HOLDER

Lawson Grain Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Lots 3505 on Deposited Plan 205677, Bindi Bindi
Lots 3641 on Deposited Plan 205677, Bindi Bindi

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 269 native trees within the area cross-hatched yellow on attached Plan 8332/1a, Plan 8332/1b, Plan 8332/1c and Plan 8332/1d.

CLEARING NOT AUTHORISED

The Permit Holder must not clear 76 habitat trees within a 4 hectare footprint suitable for Carnaby's cockatoo breeding within the area cross-hatched red on attached Plan 8332/1a, Plan 8332/1b, Plan 8332/1c and Plan 8332/1d.

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 known *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.

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 *dieback* and *weeds* 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 Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Samara Rogers
MANAGER
NATIVE VEGETATION REGULATION

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

2 April 2020

Plan 8332/1a

116°31'1.200" 116°31'12.000" 116°31'22.800" 116°31'33.600" 116°31'44.400"

LOT 3502 ON DEPOSITED PLAN 205677







-30°41'45.600"
-30°41'56.400"
-30°42'7.200"
-30°42'18.000"
-30°42'28.800"

-30°41'45.600"
-30°41'56.400"
-30°42'7.200"
-30°42'18.000"
-30°42'28.800"

116°31'1.200" 116°31'12.000" 116°31'22.800" 116°31'33.600" 116°31'44.400"

Legend

-  CPS areas approved to clear
-  Clearing not authorised
-  Local Government Authorities
-  Roads
- Image



0 100 200 m

MGA 94
Geocentric Datum of Australia 1994

Samara Rogers

Samara Rogers

2020.04.02

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



GOVERNMENT OF
WESTERN AUSTRALIA
WA Crown Copyright 2018

Plan 8332/1b

116°31'44.400"

116°31'55.200"

116°32'6.000"

116°32'16.800"

116°32'27.600"

116°32'38.400"

LOT 3502 ON DEPOSITED PLAN 205677

-30°41'45.600"

-30°41'56.400"

-30°42'7.200"

-30°42'18.000"

-30°42'28.800"

-30°41'45.600"

-30°41'56.400"

-30°42'7.200"

-30°42'18.000"

-30°42'28.800"

116°31'44.400"

116°31'55.200"

116°32'6.000"

116°32'16.800"

116°32'27.600"

116°32'38.400"

SHIRE OF MOORA

LOT 3505 ON DEPOSITED PLAN 205677

Tootra Fence Rd





Road

LC

SH

Rc

Legend

-  CPS areas approved to clear
-  Clearing not authorised
-  Local Government Authorities
-  Roads

Image



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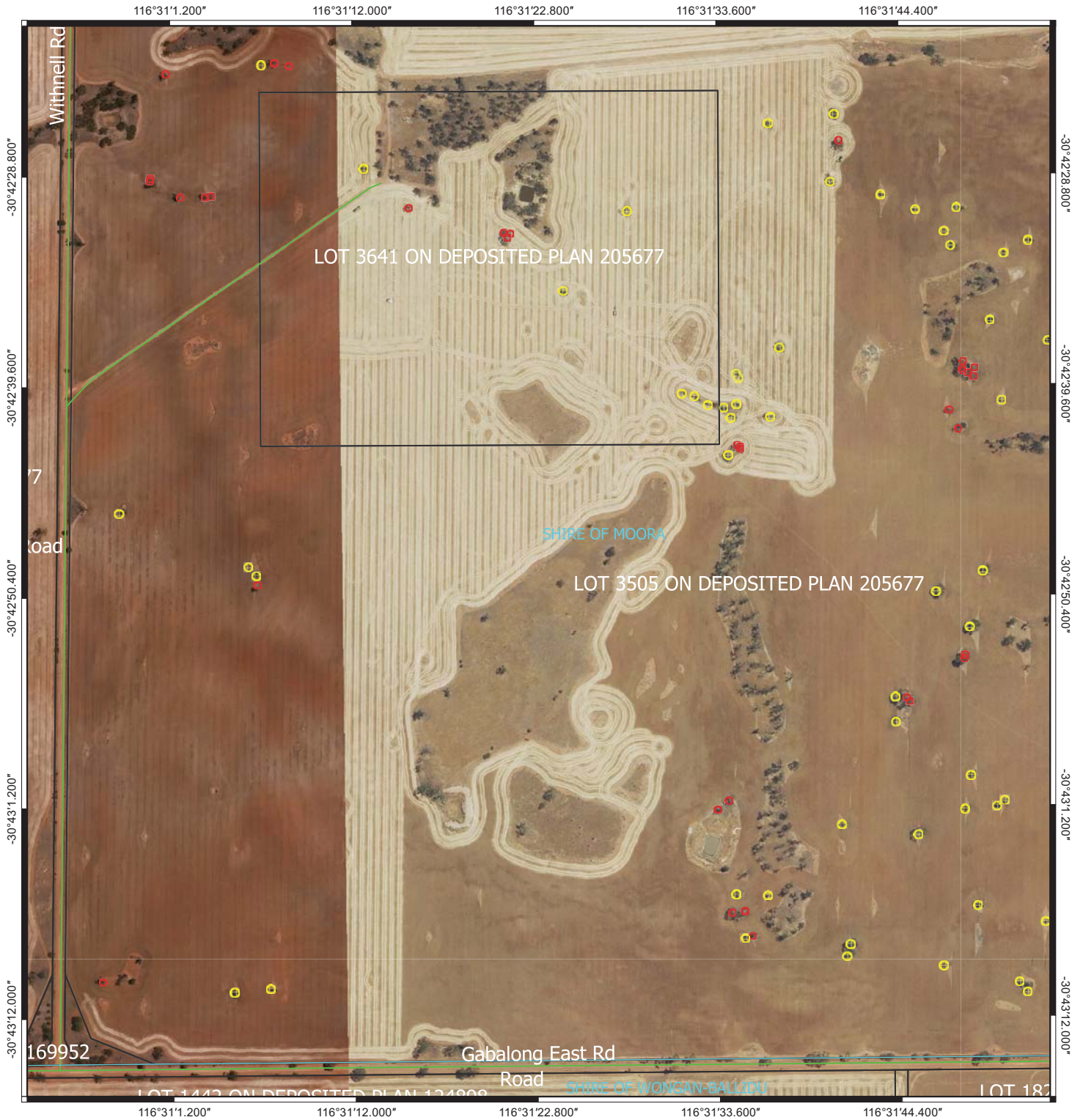
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Plan 8332/1c



Legend

-  CPS areas approved to clear
-  Clearing not authorised
-  Local Government Authorities
-  Roads
-  Image



0 100 200 m

MGA 94
Geocentric Datum of Australia 1994

Samara Rogers

2020.04.02

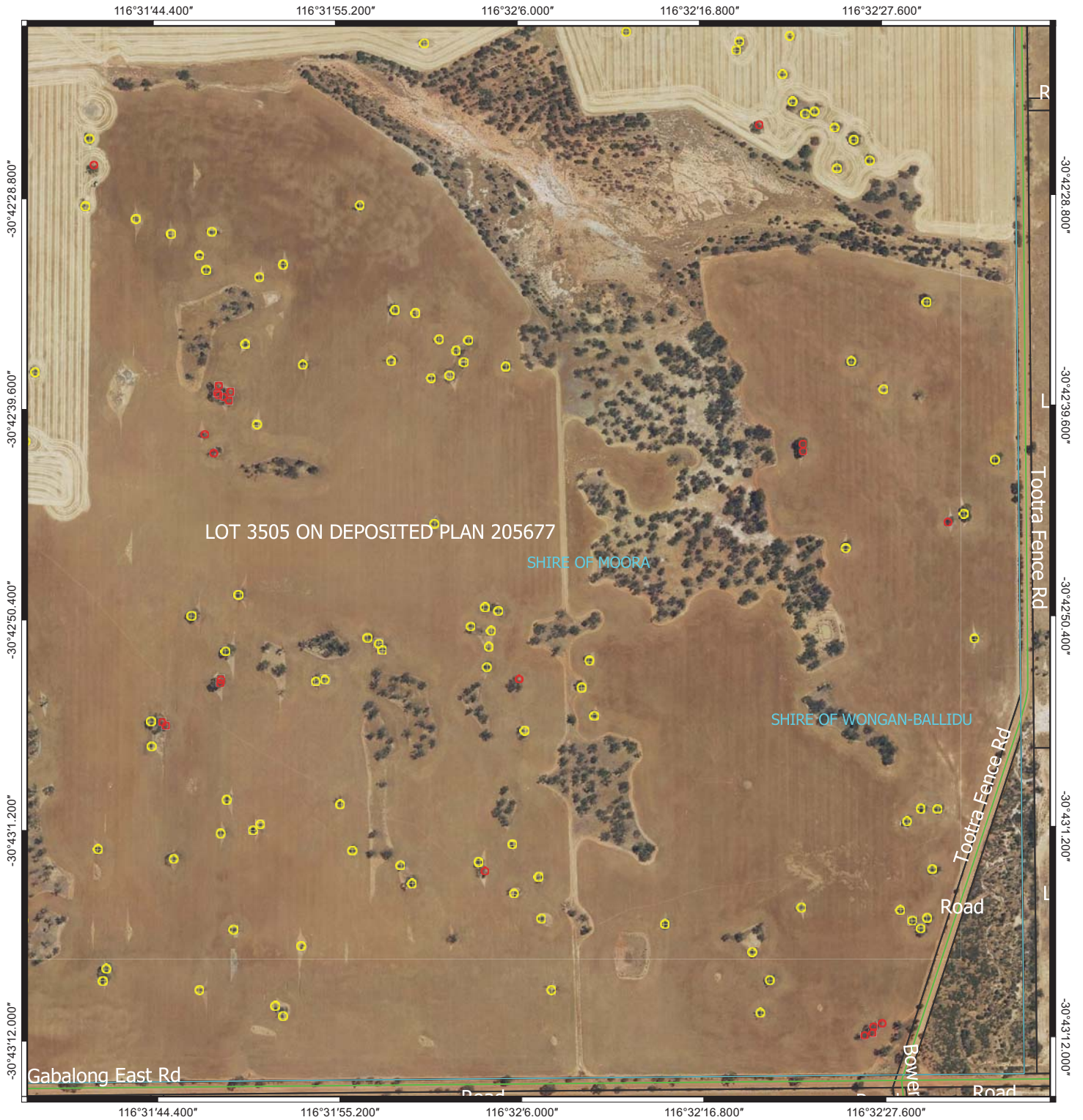
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Plan 8332/1d



Legend

-  CPS areas approved to clear
-  Clearing not authorised
-  Local Government Authorities
-  Roads
- Image



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MGA 94
Geocentric Datum of Australia 1994

Samara Rogers

Samara Rogers

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1. Application details

1.1. Permit application details

Permit application No.: CPS 8332/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Lawson Grain Pty Ltd
Application received date: 15 January 2019

1.3. Property details

Property: Lot 3505 on Deposited Plan 205677, Bindi Bindi
Lot 3641 on Deposited Plan 205677, Bindi Bindi
Local Government Authority: Shire of Moora
Localities: Bindi Bindi

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
	269	Mechanical Removal	Cropping

1.5. Decision on application

Decision on Permit Application: Granted

Decision Date: 2 April 2020

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* (EP Act). It has been concluded that the proposed clearing may be at variance with principle (e) and is not likely to be at variance with the remaining principles.

The applicant initially applied to clear 345 native trees. Through assessment of the initial application area it was identified that the proposed clearing had potential to impact on suitable habitat for Carnaby's cockatoo and significant remnant vegetation within an extensively cleared landscape.

The Delegated Officer determined that the proposed clearing had the potential to result in significant environmental impacts. Further information was sought from the applicant to address these concerns.

The applicant requested to amend the application area to remove all 76 habitat trees suitable for Carnaby's cockatoo breeding.

The Delegated Officer determined that the proposed clearing may increase the spread of weeds and dieback into adjacent remnant native vegetation. To minimise this risk, a condition has been placed on the permit requiring the implementation of weed and dieback management measures.

Given the above, the Delegated Officer determined to grant a clearing permit subject to weed and dieback management, and an avoid and minimise condition.

2. Site Information

Clearing Description

The original application was for the proposed clearing of 345 native trees within a 4 hectare footprint within Lots 3505 and 3641 on Deposited Plan 205677, Bindi Bindi, for the purpose of farming efficiency. The application was received by the Department of Water and Environmental Regulation (DWER) on 15 January 2019. The application area was reduced to 269 native trees.

Vegetation Description

The application area is mapped as Beard vegetation association Victoria Plains described as medium woodland, York gum and salmon gum (Hedde et al., 1980).

Photographs provided by the applicant indicate the vegetation is comprised of a mixture of Eucalyptus species with little to no understorey (Lawson Grain Pty Ltd, 2019)

Photographs and description provided from a land degradation report of the application area by Department of Primary Industries and Regional Development (DPIRD, 2019) indicated that the vegetation within the application area consists of York gum (*Eucalyptus loxophleba ssp lissophloia*), wandoo (*Eucalyptus wandoo*), salmon gum (*Eucalyptus salmonophloia*) and jam tree (*Acacia acuminata*).

Vegetation Condition

Based on aerial imagery and photographs provided by the applicant (Lawson Grain Pty Ltd, 2019), the vegetation within the application area is considered to be in completely degraded (Keighery, 1994) condition described as; no longer intact, completely/almost completely without native species (Keighery, 1994).

Soil Description

The application area occurs within the following soil types;

- Greenhills York 4 Phase described as gradual rise to undulating low hills; mainly sandy and loamy duplex, alkaline sandy and loamy duplex, sandy earth; York gum, wandoo, salmon gum, jam. (Schoknecht et al., 2004).
- Greenhills 4 Subsystem described as tributaries of the Mortlock river, expressing as flat narrow valleys with saline soils, semi-wet soils and grey sandy duplexes, vegetated by wandoo-salmon-York gum woodlands, east of Northam and Beverley (Schoknecht et al., 2004).

Comments

The local area referred to in the assessment of this application is defined as a 20 kilometre radius measured from the perimeter of the application area. The local area retains approximately 5 per cent native vegetation cover.

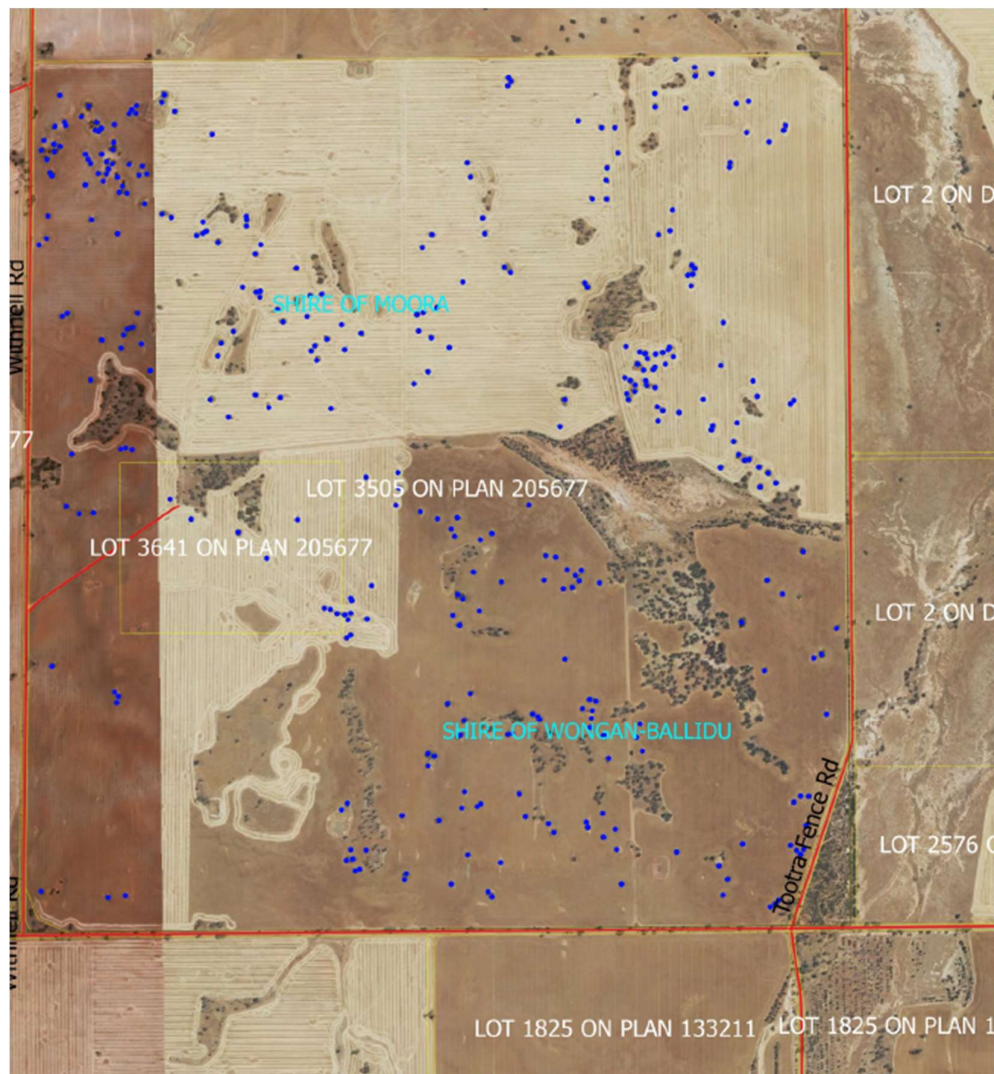


Figure 1: Application area (in blue)



Figure 2: Trees within the application area (Lawson Grain Pty Ltd, 2019)

3. Minimisation and mitigation

Lawson Grain Pty Ltd noted in their application that the trees in the application area are individual trees or small clusters and areas of remnant vegetation will be retained. (Lawson Grain Pty Ltd, 2019).

On 15 March 2019, the DWER wrote to the applicant to advise that the proposed clearing had potential to impact on breeding habitat for Carnaby's cockatoo. Consequently, the applicant committed to engage a consultant to undertake a required survey of trees within the application area which would classify as 'breeding habitat', that is, a suitable diameter at breast height of 300 millimetres or larger, that may contain nesting hollows suitable for Carnaby's cockatoo.

On 26 February 2020, the DWER wrote to the applicant to advise that a review of the fauna survey report submitted on 29 January 2020 (360 Environmental, 2020) identified that the application area contains 76 habitat trees suitable for Carnaby's cockatoo breeding (44 with hollow openings >120 mm and 32 with hollow openings <120 mm). Given presence of suitable breeding habitat within the application area, additional efforts to avoid and/or mitigate the need for clearing were required to be provided.

The applicant subsequently reduced the application area from 345 trees to 269, thereby minimising the environmental impacts to Carnaby's cockatoo through avoiding 76 trees suitable for breeding.

4. Assessment of application against clearing principles

As noted in Section 2 above, the vegetation within the application area contains a mixture of Eucalyptus species and *Acacia acuminata* with no understorey (Lawson Grain Pty Ltd, 2019 and DPIRD, 2019) and is considered to be in completely degraded (Keighery, 1994) condition.

According to available datasets, six Threatened fauna species and one Priority 4 (P4) species have been recorded within the local area (Department of Biodiversity Conservation and Attractions, 2007-). Suitable habitat for one of these species is considered likely to be present in the application area; Carnaby's cockatoo (*Calyptorhynchus latirostris*) (Threatened). The vegetation in the application area may provide breeding habitat for Carnaby's cockatoo and is mapped within the buffer of a confirmed breeding site. Suitable breeding habitat for this species includes trees which either have a suitable nest hollow or are of a suitable diameter at breast height (DBH) to develop a nest hollow. For wandoo and salmon gum a suitable DBH is 300 millimetres. (Commonwealth of Australia, 2012).

A Carnaby's cockatoo breeding habitat assessment (360 Environmental, 2020) identified that the initial application area contained 76 habitat trees suitable for Carnaby's cockatoo breeding (44 with hollow openings >120 mm and 32 with hollow openings <120 mm). Following the DWER request to mitigate the impact to this species, the applicant amended the application area to exclude all 76 trees from the application area. Therefore, the application area does not comprise breeding habitat for Carnaby's cockatoo and the proposed clearing is not likely to be at variance with Principle (b).

According to available datasets, nine Priority 1 listed flora species, 10 Priority 2, 23 Priority 3, 12 Priority 4 and 21 Threatened flora species have been recorded within the local area. The closest flora record is of the Priority 1 *Caladenia cristata*. A record of this species plots on Lot 3505 but this is expected to be an error as the textual description of the location indicates the record is from an area closer to Ballidu to the east. The soil and vegetation type of the application area is not consistent with previous recordings of this species as it appears to be associated with salt lakes and salty watercourses. Given that the application area contains no understorey and is currently used for agriculture, the proposed clearing is not likely to impact on priority flora, or include, or be necessary for the continued existence of, threatened flora.

According to available datasets, the application area is located within the mapped area of a nationally listed threatened ecological community (TEC) 'Eucalypt Woodlands of Western Australian Wheatbelt' (WA Wheatbelt Woodlands). The WA Wheatbelt Woodlands TEC is dominated by a complex mosaic of eucalypt species with a tree or mallet form over an understorey that is highly variable in structure and composition. However, the patch size requirements for the TEC is not met by any of the patches forming the application area. Given the application is for the proposed clearing of 345 individual scattered trees in a completely degraded (Keighery 1994) condition with no understorey (Lawson Grain Pty Ltd), it is considered that the WA Wheatbelt Woodlands TEC is not likely to occur within the application area nor any other TECs or priority ecological communities (PECs).

Given the application area is only expected to comprise a few native species, it is not considered likely to comprise a high level of biodiversity.

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 (i.e. pre-European settlement) (Commonwealth of Australia, 2001). This is considered to be the threshold level below which species loss appears to accelerate exponentially at an ecosystem level. The application area is located within the Avon Wheatbelt Interim Biogeographic Regionalisation of Australia bioregion, which retains approximately 18.5 per cent of the pre-European vegetation extent, and mapped Victoria Plains vegetation association which retains approximately 12.5 per cent of its pre-European vegetation extent within the bioregion (Government of Western Australia, 2018). The local area retains approximately five per cent native vegetation cover. Given this the application is located in an extensively cleared landscape. However, noting the vegetation within the application area consists of mostly paddock trees, it is not representative of Beard Vegetation Associations Victoria Plains. In addition, taking into account that the application area does not comprise high level of biodiversity, and the applicant has avoided all trees with hollows that are significant in an extensively cleared area, the tree within the application area are not considered significant as a remnant. Given this, the proposed clearing may be at variance with Principle (e).

According to available datasets, no watercourses or wetlands intersect the application area. In addition to this, the species of trees to be cleared are not considered riparian.

The closest conservation areas to the application area are two unnamed arboretums which are both located along a road reserve adjacent to the application area. Although these arboretums are both very close to the application area, there are only three individual trees that are proposed to be cleared within 700 meters of these arboretums. Given this, it is unlikely that the proposed clearing would have an impact on the environmental values of these conservation areas.

The chief soils mapped within the application area are flat to very gently undulating plain with deep alkaline mottled yellow duplex soils which generally consist of shallow pale sand to sandy loam over clay (Department of Primary Industries and Regional Development, 2018). A land degradation report of the proposed clearing indicated the soil in the application area has a moderate to high capability for the proposed land use and the risk of land degradation as a result of the proposed clearing is low (DPIRD, 2019).

Noting the absence of watercourses and wetlands, and that the application area comprises scattered trees, no significant water quality or flooding impacts are expected from the proposed clearing.

The assessment has found that the proposed clearing may be at variance with Principle (e) and is not likely to be at variance with the remaining clearing principles.

Planning instruments and other relevant matters.

No registered Aboriginal sites of significance occur within the application area, however, it is the applicant's responsibility to comply with the requirements of the *Aboriginal Heritage Act 1972* and to ensure that no Aboriginal sites of significance are disturbed as a result of any activities.

The clearing permit application was advertised on the Department of Water Environmental Regulation's website on 25 January 2019 for a public submissions period closing 14 February 2019. No public submissions were received in relation to this application.

The Shire of Moora has advised that no Shire development approvals are required for the proposed clearing and that the Shire has no other comment in relation to the proposed clearing.

5. References

- 360 Environmental. (2020). Carnaby's cockatoo habitat survey in relation to clearing permit application CPS 8332/1. DWER Ref: A1870153
- 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, 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/>.
- Department of Primary Industries and Regional Development (DPIRD) (2018) NRInfo Digital Mapping. Department of Primary Industries and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/> (Accessed January 2019).
- Department of Primary Industries and Regional Development (DPIRD) (2019), Land Degradation Assessment DWER ref: A1770036
- Government of Western Australia (2018) 2017 State-wide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of December 2017. WA Department of Biodiversity, Conservation and Attractions.
- 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
- Lawson Grain Pty Ltd (2019) Clearing Permit Application CPS 8332/1 DWER ref: A1755501
- Schoknecht, N., Tille, P. and Purdie, B. (2004) Soil-landscape mapping in South-Western Australia – Overview of Methodology and outputs' Resource Management Technical Report No. 280. Department of Agriculture.
- Shire of Moora, (2019), Response to direct interest letter. DWER ref: A1760003
- Western Australian Herbarium (1998-) FloraBase-the Western Australian Flora. Department of Biodiversity, Conservation and

Attractions. <https://florabase.dpaw.wa.gov.au/> (accessed January 2018).

GIS Databases:

- Aboriginal Sites of Significance
- DAFWA Heritage
- DBCA Estate
- DEC Covenant
- Groundwater salinity
- Hydrography, linear
- National Trust WA Covenant
- Remnant vegetation
- SAC bio datasets (accessed March 2020)
- Soils, Statewide
- Topographic contours
- Wetlands