GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS
Area Permit Number: 8350/1
File Number: DWERVT2203
Duration of Permit: 23 May 2019 to 23 May 2021

PERMIT HOLDER
Keyes AG Holdings Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE
Lot 132 on Deposited Plan 74526, Nilgen

AUTHORISED ACTIVITY
The Permit Holder shall not clear more than 298 hectares of native vegetation within the area hatched yellow on attached Plan 8350/1.

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 *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 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 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) 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.

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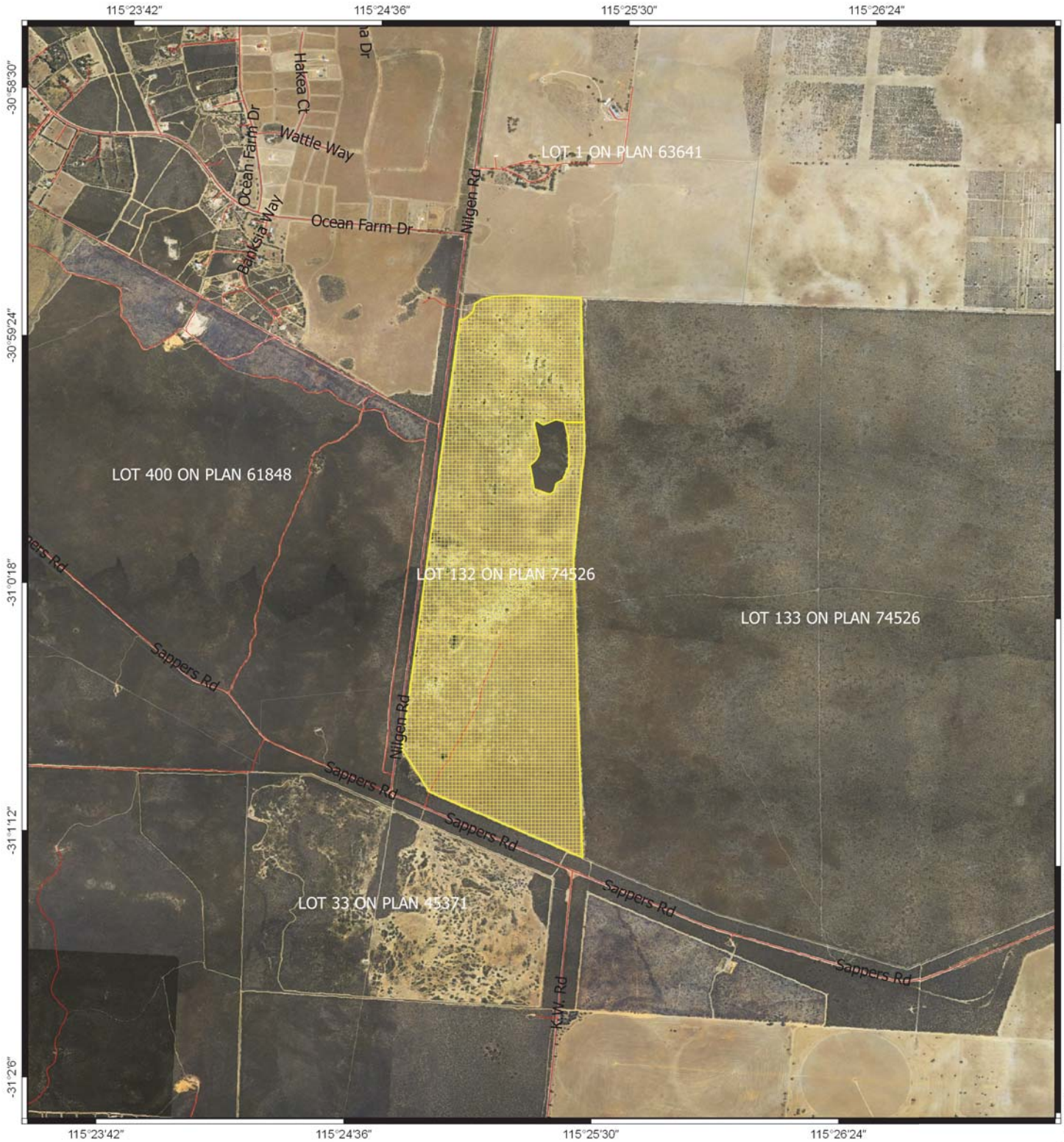
Abbie Crawford
MANAGER
NATIVE VEGETATION REGULATION

Officer delegated under Section 20
of the Environmental Protection Act 1986

29 April 2019

Plan 8350/1



Legend

- CPS areas approved to clear
- base layers
- Cadastre
- Road Centrelines
- Local Government Authorities
- Image

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MGA 94
Geocentric Datum of Australia 1994

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Officer delegated 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.:	8350/1
Permit type:	Area Permit

1.2. Applicant details

Applicant's name:	Keyes AG Holdings Pty Ltd
Application received date:	31 January 2019

1.3. Property details

Property:	Lot 132 on Plan 74526
Local Government Authority:	Shire of Gingin
Localities:	Nilgen

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
298	0	Mechanical Removal	Agricultural

1.5. Decision on application

Decision on Permit Application:	Granted
Decision Date:	29 April 2019
Reasons for Decision:	The clearing permit application was received on 31 January 2019 and 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. In determining to grant a clearing permit subject to conditions, the Delegated Officer considered that the proposed clearing is not likely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description:	The application is for the proposed clearing of scattered native vegetation, within an area of 298 hectares, within Lot 132 on Plan 74526, Nilgen, Shire of Gingin for the purpose of agriculture. The application area is indicated in Figure 1.
Vegetation Description	The vegetation within the application area is mapped as Swan Coastal Plain Karrakatta Complex – North, described as low open forest and low woodland, and Swan Coastal Plain Cottesloe Complex – North, described as low open forest and low woodland and closed heath (Heddle et al., 1980). A site inspection was conducted by Department of Water and Environmental Regulation (DWER) environmental officers on 20 March 2019 (DWER, 2019) which identified the application area to be scattered planted paddock trees and shrubs over introduced grasses, the vegetation is represented in Figures 2 to 5 below.
Vegetation Condition	Completely Degraded: The structure of the vegetation is no longer intact and the area is completely or almost completely without native species (Keighery, 1994).
Soil/Landform Type	The application area is mapped within the following land systems: • Spearwood 1, described as deep yellow sands; and • Spearwood 2, described as limestone outcrop/ shallow soils (pockets of deeper sands) (Department of Primary Industries and Regional Development, 2019).
Comments	The local area referred to in the assessment of this application is defined as a 10 kilometre radius measured from the perimeter of the application area. Vegetation condition was determined during a site inspection conducted by DWER (2019).

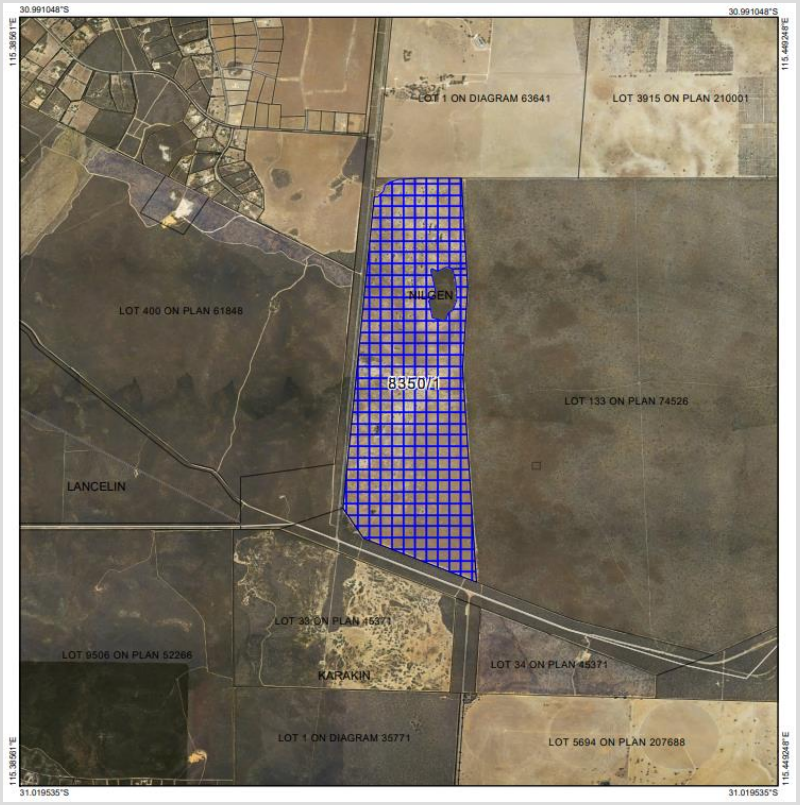

Figure 1: Application area (cross-hatched in blue)

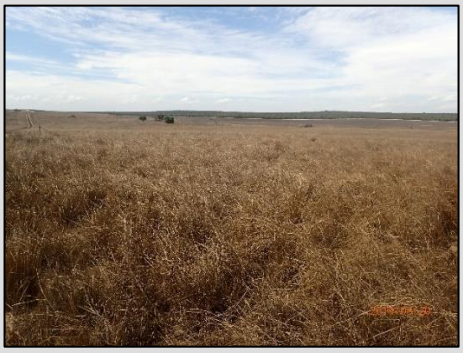
Figure 2: Completely degraded condition of application area (DWER, 2019)


Figure 3: Scattered paddock trees and grasstrees within application area (DWER, 2019)


Figure 4: Paddock trees within application area (DWER, 2019)


Figure 5: Scattered shrubs over introduced grasses within application area (DWER, 2019)

3. Assessment of application against clearing principles

A review of the available databases identified nine conservation significant flora species within the local area. Of these species, four Priority 3 flora and one Priority 4 flora species have been identified to occur within the same soil type as the application area. Noting the completely degraded condition of the vegetation within the application area and the distribution of these species, it is unlikely these species occur within the application area and the proposed clearing is not likely to have a significant impact on the conservation status of the identified priority flora taxa. There are no Threatened flora species recorded within the local area, therefore the native vegetation proposed to be cleared is unlikely to include Threatened flora.

According to available databases, five threatened fauna species, 18 species protected under international agreement, one Priority 3 species, six Priority 4 species and one other specially protected fauna species have been recorded within the local area

(Department of Biodiversity, Conservation and Attractions, 2007-). Of these species, Carnaby's cockatoo (*Calyptorhynchus latirostris*) has been identified as having the potential to utilise the application area given the presence of large paddock trees. Carnaby's cockatoo is listed as Endangered under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Carnaby's cockatoo may breed in former woodland or forest now present as isolated trees and 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). No suitable hollows were observed within the application area during the DWER site inspection (DWER, 2019). According to available databases, the application area does not occur within mapped confirmed breeding areas and there is a confirmed Carnaby's cockatoo roost site approximately four kilometres north-west of the application area. The application area is unlikely to be a significant habitat for fauna given the nature reserves in the local area, and known occurrences of black cockatoos outside of the application area and the limited suitable habitat within the application area.

There are no Threatened or Priority Ecological Communities (TECs/PECs) mapped within the application area. According to the available databases, Banksia dominated woodlands of the Swan Coastal Plain TEC occurs within the local area. A patch of the TEC occurs within the lot where the application area is located, however, this will not be cleared and as discussed with the applicant during the site inspection, will be demarcated when the clearing occurs (DWER, 2019). Given the completely degraded condition of the application area, it is not likely to comprise the whole of part of, or is necessary for the maintenance of a TEC.

The national objectives and targets for biodiversity conservation in Australia have 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 falls within the Swan Coastal Plain Interim Biogeographic Regionalisation of Australia (IBRA) bioregion and is mapped as Cottesloe Complex – North and Karrakatta Complex - North, retaining 57.88 per cent (22,077 hectares) and 45.14 per cent (18,758 hectares) of their pre-European vegetation extent, respectively (Government of Western Australia, 2018). The local area retains approximately 45.51 per cent (17,270 hectares) of remnant native vegetation. Given that the local area and mapped vegetation associations retain above the 30 per cent threshold level, the application area is not considered to be located within an area that has been extensively cleared.

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, an environment with a watercourse or wetland.

A desktop assessment was carried out by DPIRD in relation to the land degradation impacts associated with the proposed clearing, which concluded that the proposed clearing is unlikely to cause appreciable land degradation (DPIRD, 2019). It was noted that while the application area occurred within the deep sands of the Spearwood 1 subsystem which have a high wind erosion hazard rating, the risk of soil loss is low under the proposed land use (DPIRD, 2019).

The nearest conservation area, Nilgen Nature Reserve, is approximately 110 metres to the west of the application area. Given that the proposed clearing is restricted to the application area and is demarcated by a fence, it is unlikely that the proposed clearing will have an impact on the environmental values of the reserve or any conservation areas.

Given that the application area has been cleared for over 30 years (Riverina Agriconsultants, 2018), the proposed clearing is not likely to deteriorate the quality of surface or ground water and cause or exacerbate flooding.

The assessment has found that the proposed clearing is not likely to be at variance to any of the clearing principles.

Planning instruments and other relevant matters

The area under application is located within the Gingin groundwater area, as proclaimed under the *Rights in Water and Irrigation Act 1914* (RIWI Act). There is an existing groundwater licence covering the application area (GWL99673).

The clearing permit application was advertised on the Department of Water and Environmental Regulation's website on 12 February 2019, inviting submissions from the public within a 21 day period. One submission was received during this period, raising concerns over clearing good quality road reserve and bushland within a region of high biodiversity. The area under application does not include road reserves and concerns over biodiversity has been addressed in the assessment of this application against the principles for clearing native vegetation as set out under Schedule 5 of the *Environmental Protection Act 1986*.

No registered Aboriginal sites of significance have been mapped within the application area, however, it intersects a non-registered site. It is the applicant's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Sites of Aboriginal Significance are damaged through the clearing process.

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 April 2019.

Department of Primary Industries and Regional Development (DPIRD) (2019) Advice on land degradation impacts associated with CPS 8350/1. Received 17 April 2019 (DWER ref: A1783507).

Department of Water and Environmental Regulation (DWER) (2019) CPS 8350/1 Site inspection. (DWER ref: A1783735).

Government of Western Australia (2018) 2017 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of February 2018. WA Department of Parks and Wildlife, Perth.

Heddle, 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.
Riverina Agriconsultants (2018) Environmental Site Audit Report Monte. Prepared for Rivera Farming by Riverina Agriconsultants, 21 December 2018.

5. GIS databases

- Aboriginal sites of significance
- Department of Biodiversity, Conservation and Attractions
- Hydrography, Linear
- Sac bio datasets (accessed March 2019)