



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 8364/1  
File Number: DWERVT2317  
Duration of Permit: From 10 July 2019 to 10 July 2021

### PERMIT HOLDER

Water Corporation

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 301 on Deposited Plan 42541, McKail

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.901 hectares of native vegetation and 55 native trees within the area cross hatched yellow on attached Plan 8364/1.

### 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;
- (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 and trees)

#### 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 Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



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Ryan Mincham  
MANAGER  
NATIVE VEGETATION REGULATION

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

14 June 2019


# Plan 8364/1

117°49'30.000"E

117°49'48.000"E



## Legend

 CPS areas approved to clear

base layers

 Road Centrelines

 Cadastre

 Local Government Authorities



0 100 200 300 m



*R. Mincham*

Ryan Mincham

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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.: 8364/1  
Permit type: Area Permit

### 1.2. Applicant details

Applicant's name: Water Corporation  
Application received date: 12 February 2019

### 1.3. Property details

Property: LOT 301 ON PLAN 42541, MCKAIL  
Local Government Authority: ALBANY, CITY OF  
Localities: MCKAIL

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.901	55	Mechanical Removal	Plantation

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 14 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* (EP Act). It has been concluded that the proposed clearing is not likely to be at variance to any of the clearing principles.

In determining to grant a clearing permit subject to conditions, the Delegated Officer took into consideration the measures taken by the applicant to minimise and mitigate the impacts of the clearing and found that the proposed clearing is unlikely to lead to an unacceptable risk to the environment.

## 2. Site Information

<b>Clearing Description</b>	<p>The application is to clear 0.901 hectares of native vegetation and 55 native trees within Lot 301 on Deposited Plan 42541, McKail, for the purposes of establishing a pine and blue gum plantation to act as a visual and odour buffer to the existing waste water treatment plant.</p> <p>The clearing may also serve to help eliminate an infestation of the <i>Acacia longifolia</i> weed (alien to Western Australia, native to eastern Australia) and assist with the larger weed control program by eliminating the seed source.</p>
<b>Vegetation Description</b>	<p>The application area is located within the following mapped Beard vegetation complex (Shepherd et al, 2001)</p> <ul style="list-style-type: none"> <li>978: Jarrah, banksia or casuarina (<i>Eucalyptus marginata</i>, <i>Banksia spp.</i>, <i>Allocasuarina spp.</i>). Low forest, woodland or low woodland with scattered trees</li> </ul>
<b>Vegetation Condition</b>	<p>The vegetation community depicted in aerial imagery and photos provided by the applicant was assigned the following condition ratings:</p> <p><b>Good:</b> Vegetation structure significantly altered by very obvious signs of multiple disturbances. Retains basic vegetation structure or ability to regenerate it (Keighery, 1994); to <b>Disturbed:</b> Basic vegetation structure severely impacted by disturbance. Scope for regeneration but not to a state approaching good condition without intensive management. Disturbance to vegetation structure caused by very frequent fires, the presence of very aggressive weeds at high density, partial clearing, dieback and grazing (Keighery 1994).</p>
<b>Soil Type</b>	<p>The application area is mapped as occurring within the following three land systems, as mapped by the Department of Primary Industries and Regional Development (2019);</p>

- Minor Valleys S7 slope Phase:** Broad valleys in sedimentary rocks; 30 m relief; smooth slopes. Deep sands and iron podzols on slopes; Albany Blackbutt-jarrah-sheoak woodland. Podzols and yellow duplex soils on floors; paperbark woodland, teatree heath.
- Dempster slope Phase:** Sands and gravels on smooth slopes; Albany blackbutt-sheoak low forest.
- Dempster crest Phase:** Sands and laterite on elongate crests; Jarrah-Albany Blackbutt-Marri forest.

**Comments**

The local area referred to in the below assessment is defined as the area within a 10 kilometre radius of the application area.



Figure 1: The original 4.11ha application area (shown in blue), in the context of the local lot boundaries (shown in yellow)



Figure 2: The revised 0.901ha application area excluding the four southern areas of riparian vegetation (shown in blue).

### 3. Minimisation and mitigation measures

This original application was to clear 4.11 hectares of native vegetation and 58 paddock trees within Lot 301 on Deposited Plan 42541, Lot 1 on Diagram 44295 and Lot 20 on Diagram 44598, McKail within the City of Albany, for the purposes of establishing a pine and blue gum plantation to act as a visual and odour buffer to the existing wastewater treatment plant. On 6 May 2019, following discussions with the applicant and the Department of Water and Environmental Regulation (DWER), this application area was reduced to 0.901 hectares of native vegetation and 55 native trees within Lot 301 on Deposited Plan 42541, McKail, to exclude the four areas of remnant riparian vegetation (vegetation growing in association with a watercourse) and include the correct number of trees which was previously miscalculated. These modifications were committed to in order to retain the environmental values and protect the watercourses, which brings the application in line with the former Department of Water's Water Quality Protection Notice no.6: "Vegetation buffers to sensitive water resources" (Department of Water, 2006), that seeks to avoid the clearing of existing riparian vegetation where practical.

The applicant advised that the remainder of the clearing (0.901ha) is regrowth vegetation that has been cleared historically in the past 15-20 years for agriculture and pasture. A photographic assessment of the 55 paddock trees proposed to be cleared; Jarrah (*Eucalyptus marginata*), Albany Blackbutt (*Eucalyptus staeri*) and Marri (*Corymbia callophylla*) confirmed they are almost all dead and none contain any hollows suitable for fauna habitat (Figure 3).



Figure 3: Some of the 55 Eucalyptus sp. and Casuarina sp. paddock trees proposed to be cleared, none of which have hollows and are mostly dead (Ents Forestry, 2019)



Figure 4: Example of some of the vegetation proposed to be cleared north of the wastewater treatment plant (Ents Forestry, 2019)

#### 4. Assessment of application against clearing principles

The application area is situated within properties utilised for a large wastewater treatment plant and pine plantations and comprises an area which was historically cleared for pastoral activities and has since regrown.

A review of available databases determined that 58 flora species of conservation significance have been recorded in the local area, comprising five Priority 1, eleven Priority 2, fourteen Priority 3, two Priority 4 and ten Threatened flora species. No occurrences of the above flora species have been recorded within the application area, with the nearest occurrence being of the Priority 3 species *Microtis pulchella* which was recorded approximately 600 metres north-east from the proposed clearing. This species is unlikely to occur as the habitat and soil conditions it requires (peaty sand and winter-wet swamps) do not occur within the application area.

When consideration is given to the small extent of the application area and the knowledge that there are 8 conservation reserves in the local area, the application area is unlikely to comprise significant flora habitat for any flora species of conservation significance. The clearing under application is unlikely to result in adverse impacts to the conservation status, or distribution, of any flora species of conservation significance.

A review of available databases determined that 77 fauna species of conservation significance have been recorded within the local area (including approximately 35 marine and coastal species that can be discounted (Department of Biodiversity, Conservation and Attractions 2007-). When the habitat requirements and known distribution of the remaining terrestrial species were taken into account, the application area was determined to provide possible habitat for the three threatened species of black

cockatoos; Carnaby's Cockatoo (*Calyptorhynchus latirostris*), Baudin's Cockatoo (*Calyptorhynchus baudinii*) and Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksia subsp. naso*) (collectively known as black cockatoos) and the south-western brushtailed phascogale (*Phascogale tapoatafa subsp. wambenger*) (Specially Protected).

Carnaby's cockatoo and Baudin's cockatoo are listed as endangered and the forest red-tailed cockatoo is listed as vulnerable under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). These species nest in hollows in live or dead trees, generally in woodland or forest, but may also breed in former woodland or forest now present as isolated trees (Commonwealth of Australia, 2012). Given the Good to Degraded condition of the vegetation (Keighery, 1994), small scale of clearing, absence of tree hollows and the nearby established pine plantations that are known to provide foraging habitat for black cockatoos, the proposed clearing is not likely to remove significant habitat for the three black cockatoo species or the south-western brushtailed phascogale.

### Planning instruments and other relevant matters

On 25 March 2019, the City of Albany provided advice that they held no objections to the clearing proposal and it is consistent with their Local Planning Scheme. They also advised the applicant has submitted Development Approval for the project and is likely to be approved subject to conditions.

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

The clearing permit application was advertised on the DWER website on 14 March 2019 with a 21 day submission period. Two submissions were received by the same submitter and both raised the following concerns:

- Potential habitat trees for fauna needs to be assessed;
- Potential impacts to ephemeral watercourses needs to be assessed;
- Why the proponent needs to clear these remnant patches of native vegetation at all when there are surrounding areas of cleared, degraded land that could be utilised instead for the proposed plantation?

DWER's assessment has considered these concerns which have been addressed as follows:

- The 55 paddock trees have been assessed and confirmed that none have hollows, and are therefore not suitable fauna habitat trees;
- A drainage line and marsh area originally occurred within the application area. As discussed above, the applicant has removed the areas of riparian vegetation within the original application area in order to protect the water resources. Therefore there are no longer any impacts to ephemeral watercourses;
- The Department's role is to conduct an assessment of the proposed clearing area, identify the environmental values and potential impacts from clearing, and impose conditions to mitigate and limit these impacts. The location of the proposed plantation is a determination made at the discretion of the applicant. Significant modifications were made to the 4.11 ha original application area (reduced to 0.901 ha) to reduce impacts to the higher quality remnant patches of native vegetation.

### 5. References

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 Agriculture (2002). Soil Groups of Western Australia. A simple guide to the main soils of Western Australia. Resource Management Technical Report 246. Edition 3.

Department of Biodiversity, Conservation and Attractions (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed March 2019.

Department of Primary Industries and Regional Development (2019). NRInfo Digital Mapping. Department of Primary Industry and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/>. Accessed March 2019.

Department of Water (2006) Water Quality Protection Notice no.6: Vegetation buffers to sensitive water resources. Government of Western Australia. [https://www.water.wa.gov.au/data/assets/pdf\\_file/0017/5192/81872.pdf](https://www.water.wa.gov.au/data/assets/pdf_file/0017/5192/81872.pdf) (Accessed April 2019).

Ents Forestry Pty Ltd (2019) Photographs of the application area requested by DWER, taken by Mr Andy Wright on Friday 12/04/2019

Government of Western Australia (2017) 2017 Statewide Vegetation Statistics (formerly the CAR Reserve Analysis) – Full Report. Current as of December 2017 (based on most recent date of input datasets). Prepared by the Department of Biodiversity, Conservation and Attractions (DBCA), Perth. Published February 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.

Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.



