



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 8491/1  
File Number: DWERVT2806  
Duration of Permit: 9 October 2019 to 9 October 2021

### PERMIT HOLDER

Mr Mario Michele Giacci

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 30 on Diagram 13951, Myalup

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 5.28 hectares of native vegetation within the area cross-hatched yellow on attached Plan 8491/1.

### CONDITIONS

#### 1. Clearing not authorised

The Permit Holder shall not clear native vegetation within the area cross-hatched red on attached Plan 8491/1.

#### 2. 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.

#### 3. Weed and Dieback 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); and
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 2 of this Permit;
- (e) actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* 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.

  
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Ryan Mincham  
MANAGER  
NATIVE VEGETATION REGULATION

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

9 September 2019

# CPS 8491/1 - Plan

115°42'7"

115°42'14"

115°42'22"








115°42'7"

115°42'14"

115°42'22"

## Legend

-  CPS area approved to clear
-  CPS Area subject to conditions
-  Cadastre - LGATE 218
-  Local Government Authorities
-  Roads

Image



100 0 100 m



MGA 94  
Geocentric Datum of Australia 1994

*R. Mincham*  
Ryan Mincham  
2019.09.09  
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Officer with delegated authority under Section 20 of the  
Environmental Protection Act 1986



GOVERNMENT OF  
WESTERN AUSTRALIA





## 1. Application details

### 1.1. Permit application details

Permit application No.: 8491/1  
Permit type: Area Permit

### 1.2. Applicant details

Applicant's name: Mr Mario Michele Giacci

Application received date: 13 May 2019

### 1.3. Property details

Property: Lot 30 on Plan 13951, Myalup  
Local Government Authority: Shire of Harvey  
Localities: Myalup

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
5.28		Mechanical Removal	Timber harvesting

### 1.5. Decision on application

Decision on Permit Application: Granted  
Decision Date: 9 September 2019

#### Reasons for Decision:

The clearing permit application was received on 13 May 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* (EP Act). It has been concluded that clearing of the application area is at variance to principle (f) and is not likely to be at variance to the remaining clearing principles.

In determining to grant a clearing permit subject to conditions, the Delegated Officer found that the proposed clearing is unlikely to lead to an unacceptable risk to the environment, taking into account the application area largely comprises a non-native Blue gum plantation within a modified site previously used for historical sand extraction. A permit condition has been imposed to avoid impacts to *Eucalyptus gomphocephala* (Tuart), *Agonis flexuolosa* (Peppermint) trees and riparian vegetation.

## 2. Site Information

### Clearing Description

The application is to clear 5.28 hectares of non-native Blue gum plantation, including some regrowth native vegetation, within Lot 30 on Plan 13951, Myalup, for the purpose of harvesting the timber and returning the site to pasture for grazing (Figure 1).

### Vegetation Description

The application area is mapped as the following Swan Coastal Plain vegetation complex (Hedde et al., 1980):

Vasse Complex 57, described as a mixture of the closed scrub of *Melaleuca* species fringing woodland of *Eucalyptus rudis* (Flooded Gum) - *Melaleuca* species and open forest of *Eucalyptus gomphocephala* (Tuart) - *Eucalyptus marginata* (Jarrah) - *Corymbia calophylla* (Marri).

The site was formally a sand quarry with a Blue gum plantation established on the lowered soil profile. During the site inspection conducted by officers from the Department of Water and Environmental Regulation (DWER) on 5 June 2019, some *Trymalium sp.* (Karri hazel), was observed to have become established at the base of trees and is described as native regrowth for the purposes of the assessment (DWER, 2019).

A wetland is situated to the west of the proposed clearing area, with fringing vegetation consisting of *Agonis flexuolosa* (Peppermint) and *Eucalyptus gomphocephala* (Tuart), interspersed with some native vegetation (DWER, 2019).

**Vegetation Condition**

The condition of the vegetation within the application area is considered to be 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 type**

The application area is mapped as comprising the following soil systems:

- Spearwood S4b Phase - Flat to gently undulating sandplain with shallow to moderately deep siliceous yellow-brown and grey-brown sands with minor limestone outcrop;
- Vasse V10 Phase - Highest level terrace associated with the western margins of Lake Preston and Clifton. Flat to very gently sloping plain of shallow calcareous black sandy loam overlying limestone; may be seasonally waterlogged.

**Comments**

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

The vegetation condition of the application area was determined based on observations made during a site inspection conducted by DWER officers on 5 June 2019.



**Figure 1.** Map showing the application area (cross-hatched yellow) and the applied buffer to the west of the proposed clearing area (cross-hatched red).

### 3. Minimisation and mitigation measures

The applicant has committed to avoid all Tuart and Peppermint trees within the application area, as well as vegetation which fringes the adjacent wetland. A permit condition has been imposed to avoid Tuart and Peppermint trees and impacts to riparian vegetation.

### 4. Assessment of application against clearing principles

The proposed clearing area largely comprises of non-native Blue gum, with very little regrowth of native species within the understorey. The application area has a low biodiversity and although eighteen conservation significant flora species (including two species listed as Threatened) have been recorded within the local area, these were all recorded within different soil sub-groups to those found within the application area. Due to the historical sand extraction at the site, the soils have been heavily modified and bear little resemblance to the original soils in texture and are unlikely to retain the same nutrient levels as the original soil group. Based on the above, conservation significant flora species are considered unlikely to occur within the application area.

Tuart trees and associated native vegetation surrounding the wetland, as well as the vegetation directly to the south and west of the clearing application area is of greater environmental value than vegetation within the application area. The conservation advice (DoEE, 2019) for the newly listed Commonwealth Threatened Ecological Community (TEC) *Tuart woodlands and forests of the Swan Coastal Plain*, describes the conditions, categories and thresholds of what constitutes a Tuart woodland patch:

- A patch of the ecological community is a discrete and mostly continuous area of vegetation that meets the key diagnostic characteristics;
- Boundaries for a patch can extend beyond a site or property boundary, or potential area of impact for a proposed action;
- The patch boundary is 30 metres beyond the outer canopy of the established Tuart trees ( $\geq 15$  cm diameter at breast height (DBH)), including dead Tuart trees (stags);
- A patch may include small areas without understorey vegetation, such as bare ground, as well as waterbodies or hardscapes, that do not significantly alter the overall function of the ecological community.

While the Tuarts within the application area may potentially be representative of the Commonwealth listed TEC as they are contiguous with a patch greater than 0.5 hectares in area and appear to meet the criteria listed above, the proposed clearing will not impact on these as a permit condition has been imposed which prevents the clearing of Tuart and Peppermint trees within the application area.

Based on the above, the proposed clearing is considered not likely to be at variance with principles (a) and (c).

A review of available databases determined that 11 terrestrial fauna species of conservation significance have been recorded within the local area (Department of Biodiversity, Conservation and Attractions 2007). These species are listed below:

- |  |    |
|--|----|
| • Forest Red-tailed Black Cockatoo ( <i>Calyptorhynchus banksii subsp. naso</i> )        | T  |
| • Baudin's Cockatoo (Cockatoo <i>Calyptorhynchus baudinii</i> )                          | T  |
| • Carnaby's Cockatoo ( <i>Calyptorhynchus latirostris</i> )                              | T  |
| • Chuditch, Western Quoll ( <i>Dasyurus geoffroii</i> )                                  | T  |
| • Western Ringtail Possum ( <i>Pseudocheirus occidentalis</i> )                          | T  |
| • Osprey ( <i>Pandion cristatus</i> )  | IA |
| • Peregrine Falcon ( <i>Falco peregrinus</i> )   | S  |
| • South-western Brush-tailed Phascogale ( <i>Phascogale tapoatafa subsp. wambenger</i> ) | S  |
| • Coastal Plains Skink ( <i>Ctenotus ora</i> )   | P3 |
| • Perth Slider, Lined Skink ( <i>Lerista lineata</i> )                                   | P3 |
| • Quenda, southwestern brown bandicoot ( <i>Isodon fusciventer</i> )                     | P4 |

Based on observations made during the site inspection (DWER, 2019) and due to the completely degraded nature of the application area, it is unlikely that it comprises significant habitat for these species. During the site inspection, no signs of any of the above fauna species were observed. The trees within the application area were unsuitable for Black cockatoos as there are no records of the utilisation of non-native eucalypts for forage or nesting. The riparian vegetation within the application area is not mature enough to provide significant habitat for the Black Cockatoo, Western Ringtail Possum or Phascogale. No signs of Quenda or Chuditch were found during the inspection and although the Osprey and Peregrine Falcon may visit the application area on occasion, they were not sighted during the site inspection. The two Skinks may be found within the application area, however, they are mobile and any inadvertent impact to either of these species would not compromise their conservation status. Based on the above, the proposed clearing is considered not likely to be at variance with principle (b).

The nearest mapped state listed TEC is 430 metres south west of the application area. The vegetation with the application area is predominantly non-native and not representative of this TEC. Based on the above, the proposed clearing is considered not likely to be at variance with principle (d).

The majority of the application area consists of non-native vegetation within an area which has been previously cleared of native vegetation for sand extraction. The local area retains approximately 31% of its pre-European clearing extent and the vegetation within the application area is not considered to represent a significant remnant of native vegetation in an area that has been extensively cleared. Based on the above, the proposed clearing is considered not likely to be at variance with principle (e).

A wetland classified as 'multiple use' is located adjacent to the western boundary of the application area. During the site inspection, the wetland was observed to be heavily modified, however, it did provide some ecological function with fringing vegetation comprising of Tuart, Peppermint and Paperbark trees. The central section of the wetland was heavily infested with bulrush, however, Squelching Frogs (*Crinia insignifera*) could be heard calling and there was some free water present (DWER, 2019). Due to the occurrence of riparian vegetation within the application area, the proposed clearing is considered to be at variance with principle (f). A permit condition has been imposed to avoid impacts to riparian vegetation.

The application was referred to the Department of Primary Industries and Regional Development (DPIRD) with advice received that the application area has been categorised as having a low capability for the proposed land use and the risk for land degradation is low (DPIRD, 2019). Based on the above, the proposed clearing is considered not likely to be at variance with principle (g).

The nearest conservation area is 1.5 kilometres north of the application site (Yalgorup National park). At this distance and given the completely degraded condition of vegetation within the application area and that it provides no linkage function to this conservation area, the proposed clearing is considered not likely to be at variance with principle (h).

The area has a groundwater salinity of between 500-1000 mg/L TDS. Between 30-50% of the map unit has a moderate to high salinity risk, or is presently saline, with 30-50% of map unit having a high subsurface acidification risk. The already modified soil is free draining and is unlikely to cause deterioration of the ground or surface water as it is due to be turned to pasture. The subsurface acidification risk is generally associated with wetland soils (lacustrine soils), however, vegetation associated with the adjacent wetland will not be impacted, thereby reducing the acidification risk. Based on the above, the proposed clearing is considered not likely to be at variance with principle (i).

Less than 3% of the application area has a moderate to high risk of flooding, <3% of map unit has a moderate to very high waterlogging risk, whilst 10-30% of the map unit has a high subsurface compaction risk. It is unlikely that the proposed clearing will increase the risk of flooding, or exacerbate the incidence or intensity of flooding within the application area. Based on the above, the proposed clearing is considered not likely to be at variance with principle (j).

The proposed clearing has the potential to introduce weed species into the surrounding areas which support native vegetation of better condition than that found within the application area. The introduction of weeds may potentially degrade habitat for flora and fauna species of conservation significance, and the imposition of dieback and weed management conditions on the permit will assist to mitigate this potential impact.

#### **Planning instruments and other relevant matters**

The clearing permit application was advertised on the Department of Water and Environmental Regulation's website on 26 June 2019, inviting submissions from the public within a 14 day period. One submission was received in relation to concerns about the removal of riparian vegetation. The mitigation of impacts to riparian vegetation has been addressed through conditions imposed on the permit.

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

#### **5. References**

Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.

Department of Biodiversity, Conservation and Attractions (2007) NatureMap: Mapping Western Australia's Biodiversity.

Department of Biodiversity, Conservation and Attractions (2018) Vegetation Statistics South West 2018 Report -DWER

Department of Biodiversity, Conservation and Attractions (2018) SCP Vegetation Complex statistics - QGIS 2019

Department of the Environment and Energy (2019). Approved Conservation Advice for the Tuart (*Eucalyptus gomphocephala*) woodlands and forests of the Swan Coastal Plain.

Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed March 2019.

Department of Primary Industries and Regional Development (2017). 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 Primary Industries and Regional Development (2019) Western Australian Organisms List (WAOL). Available from: <https://www.agric.wa.gov.au/bam/western-australian-organism-list-waol>. Accessed March 2019.

Department of Primary Industries and Regional Development (2019). Land capability assessment. Department of Water and Environmental Regulation (2019) DWER Site inspection – 5 June 2019.

Department of Water and Environmental Regulation (2019) Site Inspection Report for Lot 30 on Plan 13951, Myalup, Shire of Harvey.

Government of Western Australia (2018) 2017 Statewide Vegetation Statistics (formerly the CAR Reserve Analysis) – Full Report. Current as of December 2017 (based on most recent date of input datasets). Remote Sensing and Spatial Analysis Section. Geographic Information Services and Corporate Records Branch. Department of Biodiversity, Conservation and Attractions. February 2018.

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.

Western Australian Herbarium (1998) FloraBase - The Western Australian Flora. Department of Biodiversity, Conservation and Attractions. <http://florabase.dpaw.wa.gov.au/> (accessed March 2019).

Department of Primary Industries and Regional Development (2019). Office of the Commissioner of Soil and Land Conservation Sustainability – Advice report for CPS 8491/1