GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8551/1
Permit Holder:	Claymont Development Pty Ltd
Duration of Permit:	17 October 2019 to 17 October 2024

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done
Clearing for the purpose of road upgrades.

2. Land on which clearing is to be done
Cheriton road reserve (PINs 11726122, 11726127, 11726124, 11726125, and 1358457), Gingin

3. Area of Clearing
The Permit Holder must not clear more than 0.98 hectares of native vegetation within the area cross-hatched yellow on attached Plans 8551/1a, Plan 8551/1b, Plan 8551/1c, Plan 8551/1d, Plan 8551/1e and Plan 8551/1f.

4. Application
This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

PART II – MANAGEMENT CONDITIONS

5. 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.

6. 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.

7. Fauna management – inspect suitable black cockatoo breeding trees

(a) Prior to undertaking any clearing authorised under this Permit, the area cross-hatched yellow on attached Plans 8551/1a-f shall be inspected by a *fauna specialist* who shall identify *black cockatoo breeding tree/s* to confirm whether it is occupied by Carnaby's cockatoo (*Calyptorhynchus latirostris*) or forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*).

(b) Where a *black cockatoo breeding tree/s* is identified as being occupied, the Permit Holder shall ensure that no clearing of, or within 10 metres of, the *black cockatoo breeding tree* occurs until a *fauna specialist* has verified that the *black cockatoo breeding tree* is no longer occupied by Carnaby's cockatoo (*Calyptorhynchus latirostris*) or forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*).

8. Records to be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

(a) In relation to the clearing of native vegetation authorised under this Permit:
   (i) 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;
   (ii) the date(s) that the area was cleared;
   (iii) the size of the area cleared (in hectares);
   (iv) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 5 of this Permit; and
   (v) actions taken to minimise the risk of the introduction and spread of *dieback* and *weeds* in accordance with condition 6 of this Permit.

(b) In relation to fauna management pursuant to condition 7 of this Permit:
   (i) the time(s) and date(s) of inspection(s) of the *black cockatoo breeding tree* by the *fauna specialist*;
   (ii) a description of the *fauna specialist* inspection methodology employed;
   (iii) the species name of any fauna determined by the *fauna specialist* to be occupying the *black cockatoo breeding tree*;
   (iv) where the *black cockatoo breeding tree* is determined by the *fauna specialist* to be occupied by Carnaby's cockatoo (*Calyptorhynchus latirostris*), or forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*):
      a. the time and date it was determined to no longer be occupied; and
      b. a description of the evidence by which it was determined to no longer be occupied.
   (v) the time and date that the *black cockatoo breeding tree* was cleared.

9. Reporting

(a) The Permit Holder must provide to the *CEO* on or before 30 June of each year, a written report:
   (i) of records required under condition 8 of this Permit; and
   (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year.

(b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the *CEO* on or before 30 June of each year.

(c) Prior to 30 August 2024, the Permit Holder must provide to the CEO a written report of records required under condition 8 of this Permit where these records have not already been provided under condition 9(a) of this Permit.

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*;

black cockatoo breeding tree/s: means trees that have a diameter, measured at 1.5 metres from the base of the tree, of 50 centimetres or greater (or 30 centimetres or greater for Eucalyptus salmonophloia or Eucalyptus wandoo) that contain hollows suitable for breeding by Carnaby's cockatoo (Calyptorhynchus latirostris), Baudin's cockatoo (Calyptorhynchus baudinii) or forest red-tailed black cockatoo (Calyptorhynchus banksii naso);

dieback means the effect of *Phytophthora* species on native vegetation;

fauna specialist: means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the Biodiversity Conservation Act 2016;

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 species-led ecological impact and invasiveness ranking 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

23 September 2019

Plan 8551/1a

Legend

- Areas approved to clear
- Cadastre
- Local Government Authorities
- Roads

Image

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MGA 94
Geocentric Datum of Australia 1994

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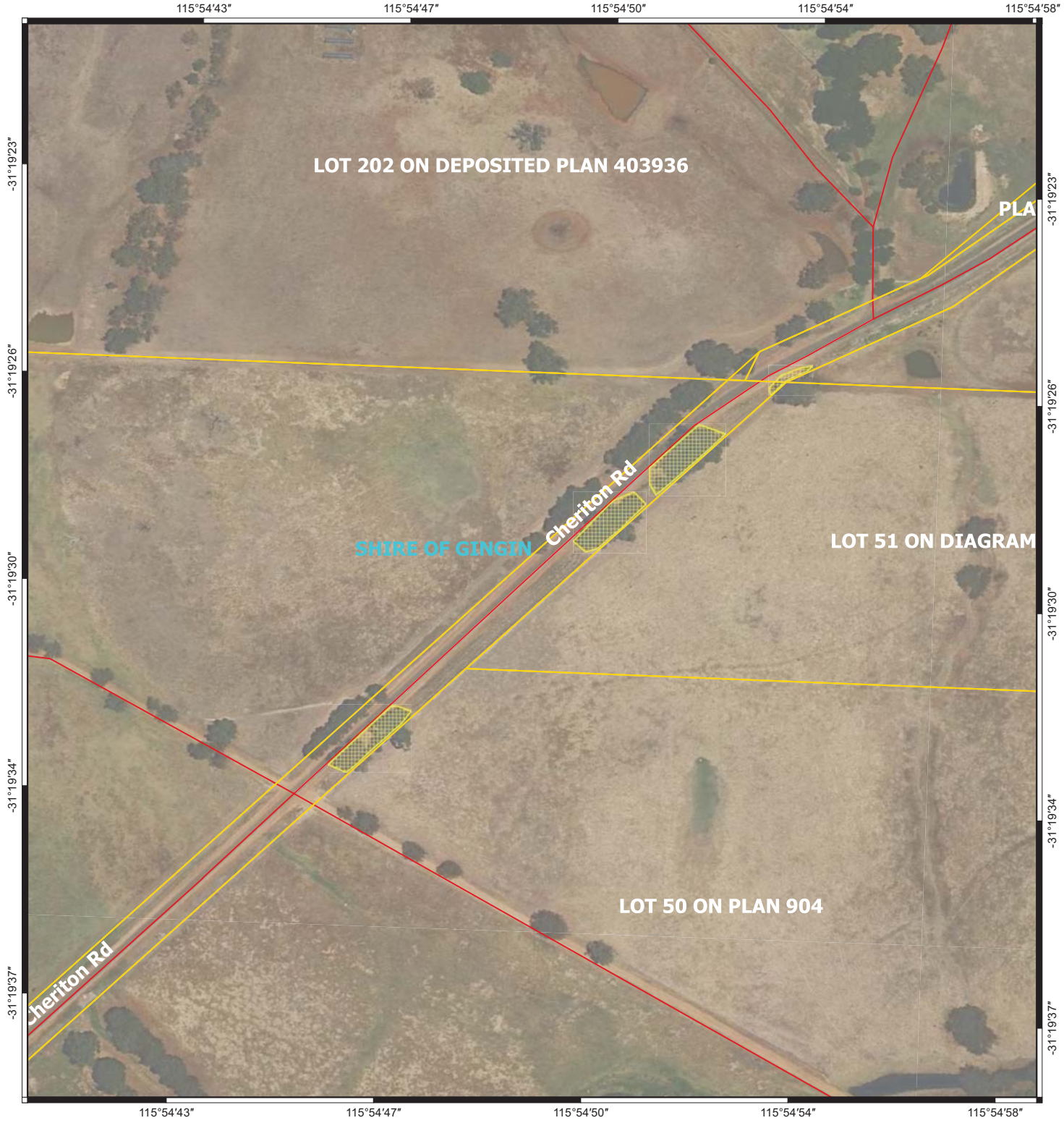
Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

GOVERNMENT OF WESTERN AUSTRALIA

Plan 8551/1b



Legend

- Areas approved to clear
- Cadastre
- Local Government Authorities
- Roads

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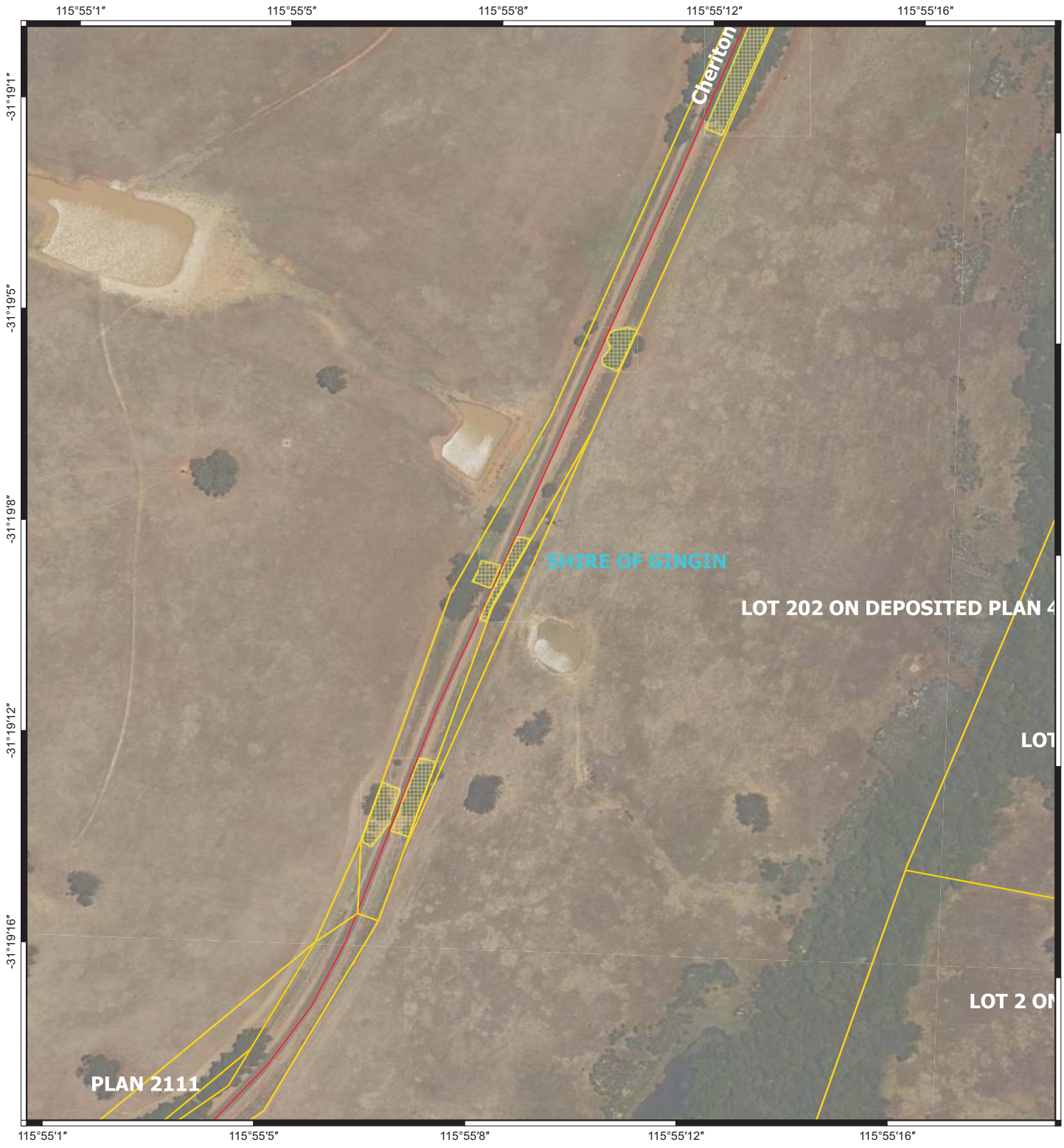
Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

GOVERNMENT OF WESTERN AUSTRALIA

Plan 8551/1c



Legend

- Areas approved to clear
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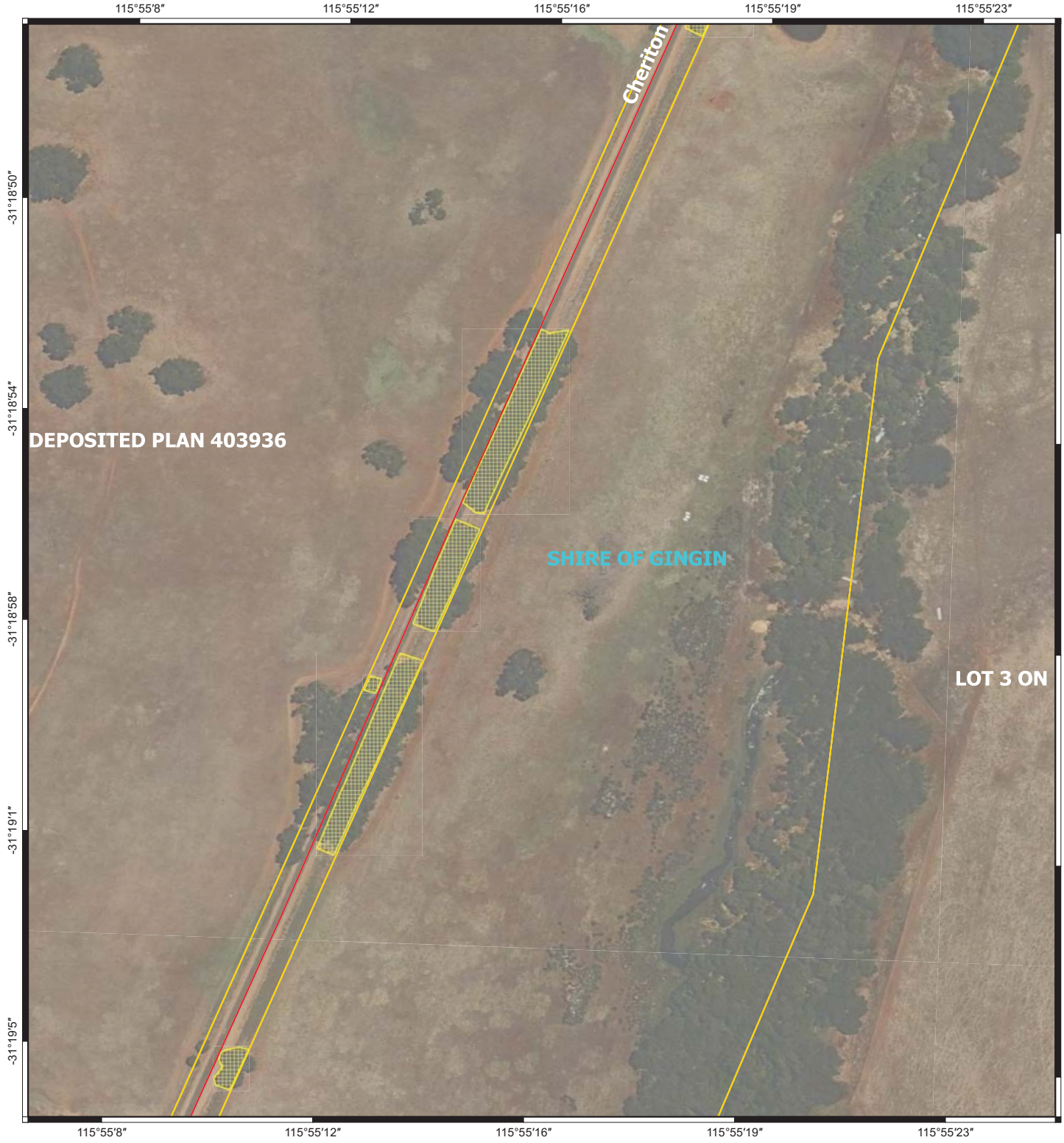
GOVERNMENT OF WESTERN AUSTRALIA

Plan 8551/1d



Legend

- Areas approved to clear
- Cadastre
- Local Government Authorities
- Roads

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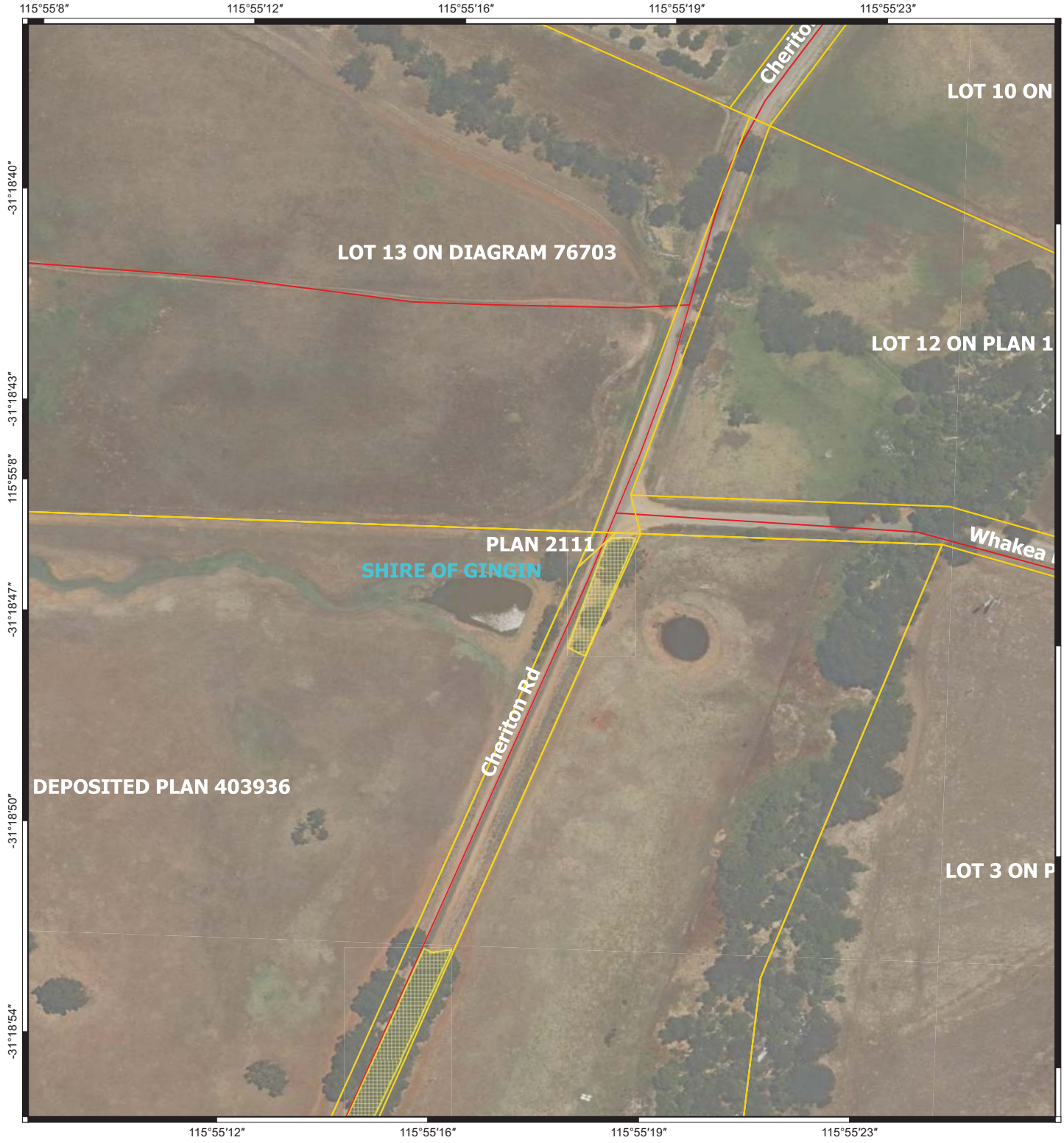
Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

GOVERNMENT OF WESTERN AUSTRALIA

Plan 8551/1e



Legend

- Areas approved to clear
- Cadastre
- Local Government Authorities
- Roads

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

GOVERNMENT OF WESTERN AUSTRALIA

Plan 8551/1f

Legend

- Areas approved to clear
- Cadastre
- Local Government Authorities
- Roads

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Officer with delegated authority 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.: 8551/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Claymont Development Pty Ltd
Application received date: 13 June 2019

1.3. Property details

Property: ROAD RESERVE - 11726122, GINGINUP
ROAD RESERVE - 11726127, GINGINUP
ROAD RESERVE - 11726124, GINGINUP
ROAD RESERVE - 11726125, GINGIN
ROAD RESERVE - GINGINUP
Local Government Authority: GINGIN, SHIRE OF
Localities: GINGIN and GINGINUP

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.98		Mechanical Removal	Road construction or upgrades

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 23 September 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 may be at variance to principle (b) and is not likely to be at variance to the remaining clearing principles.

Through the assessment it was determined that the proposed clearing may impact on breeding habitat for Carnaby's cockatoo. To minimise the impacts to black cockatoos, a fauna management condition has been placed on the clearing permit which requires the inspection of suitable black cockatoo breeding trees prior to clearing.

Through the assessment it was determined that the proposed clearing may impact adjacent native vegetation. A weed and dieback management condition has been placed on the clearing permit to minimise the risk of weeds and dieback spreading into adjacent areas of remnant vegetation.

In granting a clearing permit subject to conditions, the Delegated Officer determined that the proposed clearing is not likely to have any unacceptable environmental impacts.

Given the above, the Delegated Officer decided to grant a clearing permit subject to weed and Dieback management, fauna management and avoid minimise conditions.

2. Site Information

Clearing Description The application is to clear 0.98 hectares of native vegetation within Cheriton road reserve (Pins 11726122, 11726127, 11726124, 11726125, and 1358457), Gingin, for the purpose of upgrading Cheriton road.

Vegetation Description Application area is mapped as Swan Coastal Plain Vegetation complexes; Moondah Complex and Gingin Complex:

Moondah Complex is described as low closed to low open forest of *Banksia attenuata* (Slender Banksia) - *Banksia menziesii* (Firewood Banksia) - *Eucalyptus todtiana* (Pricklybark) - *Banksia prionotes* (Acorn Banksia) on slopes, open woodland of *Corymbia calophylla* (Marri) - Banksia species in valley.

Gingin Complex is described as open woodland of *Corymbia calophylla* (Marri) with second storey of *Banksia grandis* (Bull Banksia) and *Nuytsia floribunda*. Fringing woodland of *Eucalyptus rudis* (Flooded Gum) - *Melaleuca rhaphiophylla* (Swamp Paperbark) along streams.

Vegetation Condition	The vegetation condition of the application area ranges from; Degraded: Basic vegetation structure severely impacted by disturbance, scope for regeneration but not to a state approaching good condition without intensive management; to Completely degraded: The structure of the vegetation is no longer intact and the area is completely or almost completely without native species (Keighery, 1994). The vegetation condition was determined through a site inspection undertaken by Department of Water and Environmental Regulation (DWER) officers.
Soil type	The soil type within the application area is mapped as (DPIRD, 2017): • Dandaragan BH subsystem which is described as gently undulating to undulating rises and hills. Red and brown deep sands; • Dandaragan GB subsystem which is described as flood plains with terraces. Semi wet sandy soils; • Dandaragan GB terrace Phase which is described as Terraces. Semi wet sandy and sandy soils; and • Dandaragan CB Subsystem which is described as sheet flood fans and flats adjacent to creeks. Pale deep sands.

3. Assessment of application against clearing principles

The application is to clear 0.98 hectares of native vegetation within Cheriton road, Gingin, for the purpose of upgrading Cheriton road as part of an associated subdivision.

A site inspection of the application area undertaken by DWER officers identified that the vegetation within the application area comprised of predominantly *Corymbia calophylla* and largely comprised of juvenile trees with the occasional mature tree, with limited species in the understorey. The vegetation is a degraded to completely (Keighery, 1994) condition.

The vegetation within the application area has been identified as a potential habitat for specially protected fauna species, including forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*) and Carnaby's cockatoo (*Calyptorhynchus latirostris*) which are listed as vulnerable under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) (DBCA, 2007-). Black Cockatoos breed in large hollow-bearing trees, generally within woodlands or forests or in isolated trees (Commonwealth of Australia, 2012). These species nest within the hollows of 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). A site inspection noted that there were four potential habitat trees within the vicinity of the application area (DWER 2019). It was noted that two of the tree hollows were occupied by *Eolophus roseicapilla (*Pink and Grey Galah). No evidence of Black Cockatoo feeding was observed by way of chewed marri nuts and no sightings during the site inspection (DWER, 2019). Noting the size of the application area and the vegetation within the application area, the vegetation may comprise significant habitat for black cockatoos. A fauna management condition to inspect potential black cockatoo habitat trees, and delay clearing until no longer in use, will adequately mitigate any impacts to Black cockatoos.

According to available databases, there are 34 threatened and priority flora species recorded within the local area. Based on the vegetation condition and the native species identified within the application area, and the predominantly completely degraded condition with limited native species present with the understorey, the proposed clearing is not likely to impact upon any threatened or priority flora species.

There is one priority ecological communities (PEC) and one threatened ecological community (TEC), recorded within the local area, with the closest ecological community located 985 metres south of the application area. Noting that the application comprises predominantly marri trees with minimal native species in the understorey, the vegetation within the application area is not likely to comprise a PEC or TEC.

According to available databases, no wetlands or watercourses have been mapped within the application area. The nearest wetland is located approximately 985 metres south of the application area. The proposed clearing is not likely to impact on vegetation growing in association with a wetland or watercourse.

The application area retains more than 30 per cent of its pre-European clearing extent for the Moondah Complex however for the Gingin Complex it retains less than the 30 percent pre-European clearing extent (Government of Western Australia, 2019). Given that the vegetation within the application area comprises predominantly marri trees with minimal native species in the understorey, the vegetation is not representative of the Gingin vegetation complex. Noting the degraded to completely degraded (Keighery, 1994) condition of the vegetation, the relatively small size of the application area and the lack of conservation significant flora and fauna, the proposed clearing is not likely to be considered a significant remnant within an extensively cleared area.

The Boonanarring Nature Reserve is the closest conservation area and it is located more than three kilometres north of the application area. Given the distance, the proposed clearing is not likely to have an impact on the environmental values of this conservation area. Noting there is some remnant native vegetation adjacent to the application area, the proposed clearing may impact on adjacent vegetation through spread of weeds and dieback. The implementation of weed and dieback management measures will assist in reducing this risk.

The proposed clearing is not likely to contribute to or cause land degradation, deteriorate the quality of ground water, cause or exacerbate flooding.

Given the above, the proposed clearing is may be at variance to principle (b) and is not likely to be at variance to the remaining clearing principles.

Planning instruments and other relevant matters.

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

The Shire of Gingin advised that they had no objections to the proposed clearing. The Shire also advised that they had considered the removal of vegetation as part of the assessment process for Cheriton Estate and subsequently endorsed detailed design drawings for the upgrade of Cheriton Road, which is consistent with the information forming part of the referral (Shire of Gingin 2019).

The clearing permit application was advertised on DWER's website on 2 July 2019, inviting submissions from the public within a 21 day period. No submissions were received in relation to this application.

The applicants revised their application area which was advertised on the DWER website on 20 August 2019 with a 7 day submission period. No public submissions have been received in relation to this application.

4. References

Commonwealth of Australia (2012) EPBC Act Referral guidelines for three threatened black cockatoo species: Carnaby's cockatoo, Baudin's cockatoo and Forest red-tailed black cockatoo. Commonwealth of Australia

Department of Biodiversity, Conservation and Attractions (DBCA) (2007-) Nature Map: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: https://naturemap.dpaw.wa.gov.au/ . July 2019.

Department of Primary Industries and Regional Development (DPIRD) (2017). NRInfo Digital Mapping. Accessed at https://maps.agric.wa.gov.au/nrm-info/ Accessed June 2018. Department of Primary Industries and Regional Development. Government of Western Australia.

Department of Water and Environment Regulation (DWER) (2019) Site Inspection Report for Clearing Permit Application CPS 8551/1. Site inspection undertaken 31 July 2019. Department of Water and Environment Regulation, Western Australia (DWER Ref: A1816674).

Government of Western Australia (2019) 2018 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of February 2018. WA Department of Parks and Wildlife, Perth

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.

Shire of Gingin (2019) Supporting Information for clearing permit application CPS 8551/1. Shire of Gingin. Received by DWER on 8 July 2019 (DWER Ref: A1803469).

GIS Databases:

- Aboriginal Sites of Significance
- Beard vegetation associations
- Clearing Regulations - Environmentally Sensitive Areas
- Department of Biodiversity, Conservation and Attractions Estate
- Hydrography, linear
- IBRA Australia
- Remnant vegetation
- SAC bio datasets (accessed July 2019)
- Soils, Statewide
- Wetlands