



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 8606/1

File Number: DWERVT3093

Duration of Permit: From 24 December 2019 to 24 December 2021

### PERMIT HOLDER

Rural 158 Pty Ltd

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 28 on Deposited Plan 24127, Ginginup

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.72 hectares of native vegetation within the area cross-hatched yellow on attached Plan 8606/1.

### 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. Wind erosion management

The Permit Holder shall not clear native vegetation unless horticulture activities commence within three months of the authorised clearing being undertaken.

#### 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);
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 1 of this Permit;

- (e) actions taken to minimise the risk of the introduction and spread of *dieback* and *weeds* in accordance with condition 2 of this Permit; and
- (f) actions taken in accordance with condition 3.

## 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;

***weeds*** 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.



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Samara Rogers  
MANAGER  
NATIVE VEGETATION REGULATION





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

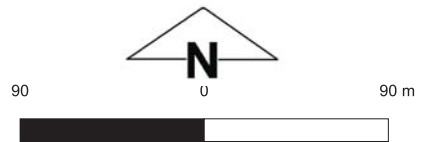
22 November 2019

# Plan 8606/1



## Legend

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



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



## 1. Application details

### 1.1. Permit application details

Permit application No.: 8606/1  
Permit type: Area Permit

### 1.2. Applicant details

Applicant's name: Rural 158 Pty Ltd  
Mr Peter LeCras  
Application received date: 2 July 2019

### 1.3. Property details

Property: Lot 28 on Deposited Plan 24127 - GINGINUP  
Local Government Authority: GINGIN, SHIRE OF  
Localities: GINGINUP

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.72		Mechanical Removal	Horticulture

### 1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 22 November 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 with principle (g) and is not likely to be at variance to the remaining clearing principles.

Through assessment it was identified that the proposed clearing may impact on surrounding native vegetation and may cause wind erosion, Conditions for weed and dieback management and to manage wind erosion will mitigate any potential significant impacts.

Given the above, the Delegated Officer determined to grant a clearing permit subject to weed management, flora management and wind erosion management.

## 2. Site Information

**Clearing Description** The application is to clear 0.72 hectares of native vegetation within Lot 28 on Deposited Plan 24127, Ginginup, for the purpose of Horticulture.

**Vegetation Description** Application area is mapped as Swan Coastal Plain – Vegetation Complex - + which is described as open forest of *Eucalyptus marginata* (Jarrah) and *Corymbia calophylla* (Marri) with second storey of *Banksia grandis* (Bull Banksia) (Shepherd *et al.* 2001).

**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 condition of the vegetation was determined by reviewing photos of the area provided by the applicant (Peter LeCras, 2019).

**Soil type** The soil type within the application area is mapped as:

- Dandaragan BH subsystem which is described as gently undulating to undulating rises and hills. Red and brown deep sands.
- Dandaragan MB Subsystem is described as Undulating to rolling rises with breakaways. Pale shallow, very shallow and deep sands (DPIRD, 2017).



Figure 1-3. Photos of large trees in application area provided by Applicant (Peter LeCras, 2019)

### 3. Assessment of application against clearing principles

The application area may comprise suitable habitat for specially protected fauna species, including forest Red-tailed Black-cockatoo (*Calyptorhynchus banksii* subsp. *naso*) which are listed as vulnerable and Carnaby's cockatoo (*Calyptorhynchus latirostris*) which are listed as endangered under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). 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). Two of the trees were noted to have a DBH (diameter At breast height) large enough to contain potential hollows would be suitable for black cockatoos breeding. Photographs provided by the applicant (Figures 1-3) indicate that there are no suitable hollows for black cockatoos within the application area. Noting the presence of better quality foraging habitat within the local area, the vegetation within the application is not likely to comprise of significant habitat for indigenous fauna including species of conservation significance.

There are two priority ecological communities (PEC) recorded within the local area, the closest priority ecological community, Banksia Dominated Woodlands of the Swan Coastal Plain IBRA Region, is located 300 metres east of the application area. Given the vegetation within the application area comprises of mature jarrah and Marri trees, it is not likely to comprise the whole or part of, or be necessary for the maintenance of the PEC.

According to available databases, there are 32 threatened and priority flora species recorded within the local area. Noting the completely degraded (Keighery, 1994) condition and the species identified within the application area, the proposed clearing is not likely to impact upon any threatened or priority flora species and does not resemble vegetation associated with a threatened ecological community (TEC).

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

The Karamal Complex-South has approximately 64 per cent of its pre-European clearing extent. Noting the vegetation within the application area, the proposed clearing is not likely to be considered a significant remnant within an extensively cleared area.

The closest conservation area is the Boonanarring Nature Reserve, which is more than two kilometres from the application area. Noting the distance, the proposed clearing is not likely to have an impact on the environmental values of this conservation area. Noting the remnant native vegetation surrounding 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 chief soils mapped within the application area are Dandaragan BH and Dandaragan MB soil types which has low risk of water erosion and flooding and has a medium risk of salinity. The sandy soils within the application area may be prone to wind erosion if left bare for an extended period of time. Given the risk of wind erosion, the proposed clearing may be at variance to principle (g). A wind erosion management condition will mitigate the potential impacts of wind erosion.

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

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

## Planning instruments and other relevant matters.

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

The application area is zoned as General Rural, which is consistent with local government planning scheme. The Shire of Gingin advised that they have no objections to the proposed clearing and advised the removal of vegetation as considered as part of the assessment process for the approved Agricultural Intensive Perennial Horticulture – Orchard), which is consistent with the information forming part of the application (Shire of Gingin, 2019).

The clearing permit application was advertised on the Department of Water and Environmental Regulation's website on 5 August 2019, inviting submissions from the public within a 14 day period. No submissions were 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 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.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Peter LeCras (2019) Photographs of the application area provided by the applicant for CPS 8606/1. Received by DWER on 29/08/2019 (DWER Ref: A1818906 and A1818072).
- 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 8606/1. Shire of Gingin. Received by DWER on 6 August 2019 (DWER Ref: DWERDT186780).

### 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