

9 May 2023

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Department of Water and Environmental Regulation
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Dear Sir/Madam,

RE: Clearing Permit Application for Lot 803 Kulija Road, Baldivis

On behalf of Aigle Royal please find attached a Clearing Permit Application to clear 859 m² of sparsely scattered native vegetation on Lot 803 Kulija Road, Baldivis. The proposed clearing is in land recently purchased by Aigle Royal (Executed Transfer of Land is provided as Attachment 1).

1 Background

Lot 803 Kulija Road, Baldivis is located approximately 37km south of the Perth Central Business District in the City of Rockingham. The Lot is 1.3858 ha in size. The proposed clearing is for the purpose of sand extraction. The proposed sand extraction has Development Approval (Attachment 2). The Development Approval is over the site's parent lot, Lot 825, however a subsequent subdivision has split the parent lot to Lot 803 and 804. The extractive activity will be confined to Lot 803.

2 Previous Land Use

The lot has been parkland cleared for many years as shown in the earliest available aerial photograph from 1953 (Plate 1). Additional clearing was undertaken prior to 1979 (Plate 2).

Plate 1: Aerial Photograph from 1953

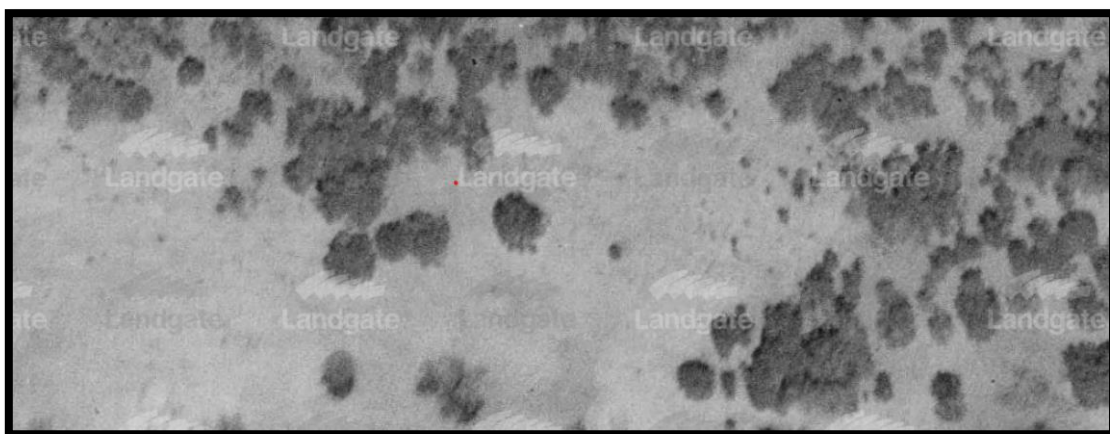
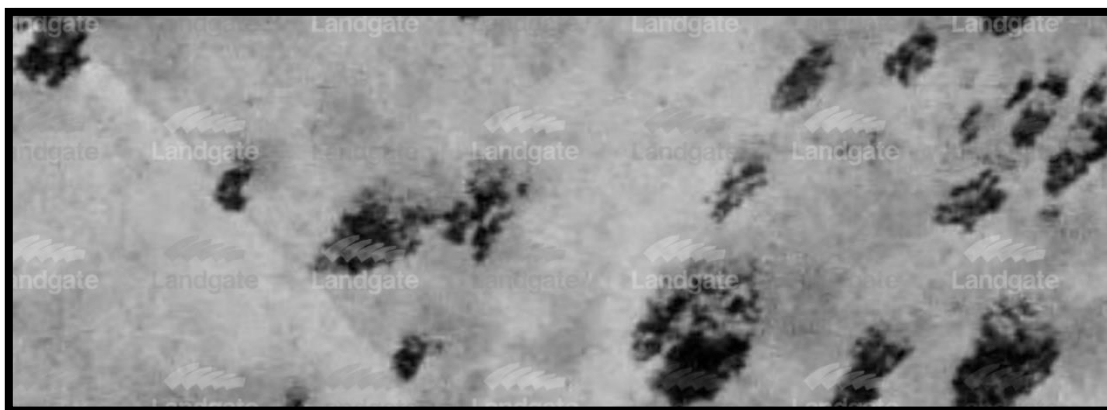


Plate 2: Aerial Photograph from 1970



3 Vegetation

A site assessment undertaken by PGV Environmental on 3 February 2023 shows that the lot is predominately a paddock of weedy pasture species with a few Marri trees (*Corymbia calophylla*) and one Jarrah tree (*Eucalyptus marginata*) (Figure 1). A small stand of *Acacia pulchella* (Prickly Moses) shrubs occur next to a Marri tree in the south-central area (Figure 1; Plate 3).

The sand mining footprint has been designed to minimise the number of trees to be cleared. As a result, four of the Marri trees will be retained. The clearing will impact one Marri tree and half of the stand of *Acacia pulchella* and one Jarrah tree (Plate 4). In addition, there are four juvenile Marri trees growing around a fallen dead Marri (Plate 5) that will be cleared.

Plate 3: *Acacia pulchella* and Marri tree



Plate 4: Jarrah Tree in the Clearing Footprint



Plate 5: Juvenile Marri Trees



The fallen tree also has one *Hardenbergia comptoniana* (Native Wisteria) growing on the north-western side which will be cleared (Figure 1, Plate 6).

Plate 6: Native Wisteria



The western part of the site contains one *Jacksonia furcellata* (Grey Stinkwood) (Figure 1; Plate 7) that will be cleared.

Plate 7: Grey Stinkwood



The total area of native vegetation that is applied for in the clearing permit referral area is 859m². The native vegetation on the site is Completely Degraded.

A few young trees at the western end of the clearing footprint area have been planted on a bund, with planting stakes evident and do not constitute native vegetation (Figure 1, Plate 8).

Plate 8: Planted Trees on a Bund



4 Fauna Habitat

The fauna habitat is in poor condition with high levels of disturbance and low connectivity with any areas of intact vegetation. The site contains parkland cleared Marri and Jarrah trees which are listed as high priority foraging species for Carnaby's, Baudin's and Forest Red-tailed Black Cockatoos. The canopy of the trees to be cleared provides approximately 650 m² of foraging habitat. Two trees have a diameter at breast height greater than 500mm but inspection of these trees showed that none of them contain hollows. An artificial nesting tube has been installed in the Marri trees. Discussions with the previous owners of the land (Main Roads WA) indicate the nesting tube was not installed as part of any State or Federal offset requirement. The tube does not appear to have been used for breeding by Black Cockatoos. Prior to clearing, this tube will be relocated to a suitable tree on the adjoining lot.

High quality foraging habitat for Black Cockatoos occurs in the nearby district including in the Leda Bushland Reserve which has over 800ha of habitat. Therefore, the small amount of foraging habitat on the site is not considered to be significant habitat for Black Cockatoos. The clearing is not likely to have a significant impact on Black Cockatoos and it is considered that referral under the EPBC Act is not required.

5 Ten Clearing Permit Principles

The Ten Clearing Principles have been addressed below to determine the environmental impact that the removal of the native vegetation on the site would have.

Principle (a): Vegetation should not be cleared if it comprises a high level of biological diversity.

The vegetation on the site is Completely Degraded due to the past clearing for agricultural purposes. No intact native vegetation remains. As a result, the vegetation is not representative of a Threatened or Priority Ecological Community.

The proposed clearing is considered not at variance to this principle.

Principle (b): Vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.

The fauna habitat is in poor condition with high levels of disturbance and is not considered significant habitat. The proposed clearing is considered not at variance to this principle.

Principle (c): Vegetation should not be cleared if it includes, or is necessary for the continued existence of rare flora.

No Threatened or Priority plant species are likely to occur on the site given the clearing and high levels of disturbance. Therefore, the proposed clearing is considered not at variance to this principle.

Principle (d): Vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.

The vegetation on the site is not representative of a Threatened Ecological Community. Therefore, the proposed clearing is considered not at variance to this principle.

Principle (e): Vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.

The site is not a significant remnant of vegetation. The proposed clearing is considered not at variance to this principle.

Principle (f): Vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

There are no wetlands on the site. The proposed clearing is considered not at variance to this principle.

Principle (g): Vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Clearing the vegetation on the site will not result in land degradation. The area of clearing is mapped within the Pinjarra System but the soils on the site are representative of the Spearwood System. Sand extraction will be undertaken in accordance with an EMP.

The proposed clearing is considered not at variance to this principle.

Principle (h): Vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.

There are no adjacent reserves. The Leda Reserve is approximately 1.2km to the north-east. Furthermore, the site is predominantly cleared already. The proposed clearing of scattered trees and some native shrubs will not adversely impact on any nearby areas of native vegetation. The proposed clearing is considered not at variance to this principle.

Principle (i): Vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.

The proposed sand extraction will not impact on surface water or groundwater. The proposed clearing is considered not at variance to this principle.

Principle (j): Vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence of flooding.

The site is predominantly cleared already, therefore any further clearing will not increase rain infiltration to the groundwater. Flooding and stormwater will be infiltrated in the extraction footprint.

The proposed clearing is considered not at variance to this principle.

6 Conclusion

The proposed sand extraction on Lot 803 Kulija Road, Baldvis will result in the clearing of 859 m² of scattered native species in a 1.3858ha parkland cleared footprint. The sand extraction will be undertaken in accordance with an Environmental Management Plan as approved by the City of Rockingham. The proposed clearing is not expected to be at variance of any of the Ten Clearing principles. On that basis we would like to apply for a Clearing permit to clear the vegetation.

Please contact me if you would like any further information or if you would like some assistance with a site inspection.

Yours sincerely



Paul van der Moezel
Managing Director

Accompanying Documentation

Clearing Permit Referral Form
Shapefiles

Figures

Figure 1: Clearing Permit Area

Attachments

Attachment 1: Executed Transfer of Land
Attachment 2: Approved Development Application

FIGURE

