



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 10280/2
Permit Holder:	Stellar Contracting Services Pty Ltd
Duration of Permit:	From 14 February 2024 to 14 February 2033

The permit holder is authorised to clear *native vegetation* subject to the following conditions of this permit.

PART I – CLEARING AUTHORISED

1. Clearing authorised (purpose)

The permit holder is authorised to clear *native vegetation* for the purpose of dimension stone quarry operations.

2. Land on which clearing is to be done

Lot 1 on Plan 84693, Jerramungup

3. Clearing authorised

The permit holder must not clear more than 8.16 hectares of *native vegetation* within the area cross-hatched yellow in Figure 1 of Schedule 1.

4. Period during which clearing is authorised

The permit holder must not clear any *native vegetation* after 14 February 2029.

PART II – MANAGEMENT CONDITIONS

5. Clearing not authorised

The permit holder must not clear any riparian vegetation under this permit.

6. Avoid, minimise, and reduce impacts and extent of clearing

In determining the *native vegetation* authorised to be cleared under this permit, the permit holder must apply the following principles, set out in descending 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.

7. Weed and dieback management

When undertaking any clearing authorised under this permit, the permit holder must take the following measures to minimise the risk of 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;
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared; and

8. Directional clearing

The permit holder must conduct clearing activities in a slow, progressive manner towards adjacent *native vegetation* to allow fauna to move into adjacent *native vegetation* ahead of the clearing activity.

9. Fencing (pre-clearing)

The permit holder must, prior to commencing clearing, construct a fence through Lot 1 on Plan 84693, Jerramungup, in the location cross-hatched red on Figure 1 of Schedule 1. The construction of the fence is subject to the following requirements:

- (a) Fences should allow for the movement of wildlife by being raised at least 15 centimetres from the ground.
- (b) Within one (1) month of installing the above fence, the permit holder must notify the CEO in writing that the fencing has been completed.
- (c) The permit holder must inspect the fence constructed in accordance with condition 9(a) of this permit every 12 months for the duration of this permit to ensure the fence is protecting adjacent native vegetation by excluding third parties and vehicles.
- (d) Where the permit holder identifies that the fence constructed in accordance with condition 9(a) of this permit is not protecting adjacent native vegetation by excluding third parties and vehicles, the permit holder must repair the fence.

10. Revegetation and rehabilitation

- (a) The permit holder must retain the vegetative material and topsoil removed by clearing authorised under this Permit and stockpile the vegetative material and topsoil in an area that has already been cleared.
- (b) The permit holder must within 12 months of undertaking clearing authorised under this permit and no later than 14 February 2030, revegetate and rehabilitate the areas no longer required for the purpose for which they were cleared under this Permit by:
 - (i) re-shaping the surface of the land so that it is consistent with the surrounding five metres of uncleared land;
 - (ii) ripping the ground on the contour to remove soil compaction;
 - (iii) deliberately *planting* tube stock and salvaged native vegetation;
 - (iv) ensuring planted tube stock is comprised of species suitable for foraging by

Carnaby's cockatoo;

- (v) ensuring only *local provenance* seeds and propagating material are used to *revegetate* and *rehabilitate* the area; and
 - (vi) undertake *weed* control activities on an ‘as needed’ basis to reduce *weed* cover within the cleared areas to no greater than the *weed* cover within the surrounding five (5) metres of uncleared land.
- (c) The permit holder must within 24 months of *planting* tube stock and salvaged vegetation in accordance with condition 10(b) of this permit:
- (i) engage an *environmental specialist* to make a determination as to whether the composition, structure and density of the revegetated areas will, without further revegetation, result in a similar species composition, structure and density to surrounding five (5) metres of uncleared land;
 - (ii) If the determination made by the *environmental specialist* under condition 10(c)(i) is that the revegetated areas will not result in a similar species composition, structure and density to that of the surrounding five (5) metres of uncleared land, the permit holder must *revegetate* the area by deliberately *planting* and/or *direct seeding* native vegetation species that will result in a similar species composition, structure, and density of the surrounding five (5) metres of uncleared land.
- (d) Where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 10(c)(ii), the permit holder must repeat the activities required by condition 10(b) within two years of undertaking the additional *planting* or *direct seeding* of native vegetation.

PART III - RECORD KEEPING AND REPORTING

11. Records that must be kept

The permit holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	<ul style="list-style-type: none"> (a) the species composition, structure, and density of the cleared area; (b) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings; (c) the date that the area was cleared; (d) the size of the area cleared (in hectares); (e) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 6; (f) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> and <i>dieback</i> in accordance with condition 7; and

No.	Relevant matter	Specifications
		(g) actions taken to undertake slow, directional clearing in accordance with condition 8.
2.	In relation to fencing (pre-clearance) pursuant to condition 9	(a) the location of the fence, recorded using a Global Positioning System (GPS) unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings; and (b) actions taken to inspect and repair the fence to ensure the fence is excluding third parties and vehicles.
3.	In relation to rehabilitation and revegetation pursuant to condition 10	(a) the location of any areas <i>revegetated and rehabilitated</i> , recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA20), expressing the geographical coordinates in Eastings and Northings or decimal degrees; (b) a description of the <i>revegetation and rehabilitation</i> activities undertaken; (c) the size of the area <i>revegetated and rehabilitated</i> (in hectares); (d) the species composition, structure and density of <i>revegetation and rehabilitation</i> , and (e) a copy of the <i>environmental specialist's</i> report.

12. Reporting

The permit holder must provide to the *CEO* the records required under condition 11 of this permit when requested by the *CEO*.


DEFINITIONS

In this permit, the terms in Table 2 have the meanings defined.

Table 2: Definitions

Term	Definition
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the <i>Environmental Protection Act 1986</i> .
clearing	has the meaning given under section 3(1) of the EP Act.
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.
fill	means material used to increase the ground level, or to fill a depression.
department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
dieback	means the effect of <i>Phytophthora</i> species on native vegetation.
direct seeding	means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species.

Term	Definition
environmental specialist	means a person who holds a tertiary qualification in environmental science or equivalent, and has a minimum of two (2) years work experience relevant to the type of environmental advice that an environmental specialist is required to provide under this permit, or who is approved by the CEO as a suitable environmental specialist.
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
local provenance	means native vegetation seeds and propagating material from natural sources within 50 kilometres and the same IBRA subregion of the area cleared.
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.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
optimal time	means the period from May to June for undertaking planting and April to May for undertaking direct seeding.
planting	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species.
rehabilitate / rehabilitated / rehabilitation	means actively managing an area containing native vegetation in order to improve the ecological function of that area.
revegetate / revegetated / revegetation	means the re-establishment of a cover of local provenance native vegetation in an area using methods such as natural regeneration, direct seeding and/or planting, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.
weeds	means any plant – <ul style="list-style-type: none"> (a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; 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.

END OF CONDITIONS


Ryan Mincham
MANAGER
NATIVE VEGETATION REGULATION

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

14 June 2024

Schedule 1

The boundary of the area authorised to be cleared (cross-hatched yellow) and the area subject to conditions (cross-hatched red) is shown in the map below (Figure 1).

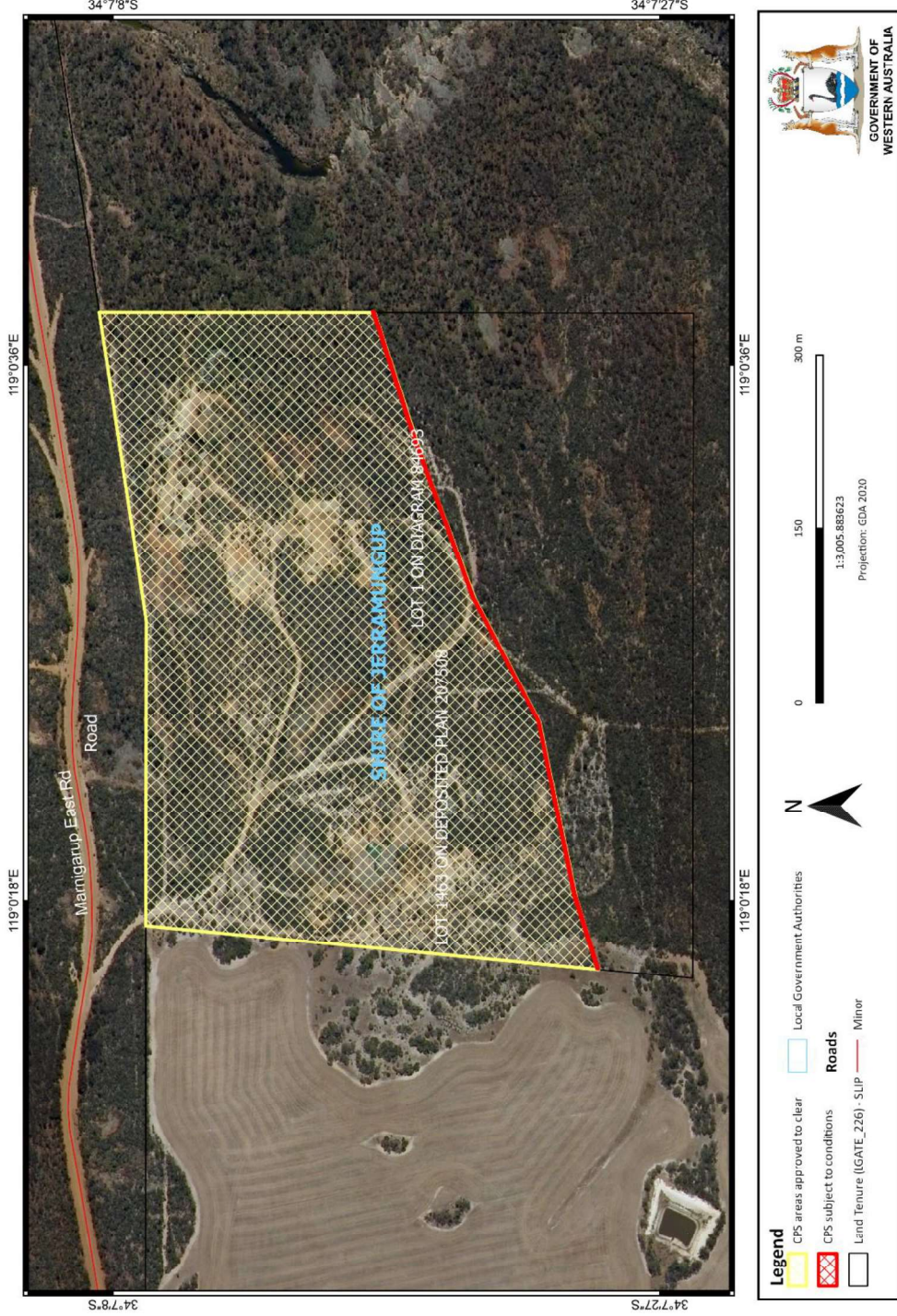


Figure 1: Map of the boundary of the area within which clearing may occur and the area subject to conditions.



Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 10280/2
Permit type:	Purpose permit
Applicant name:	Stellar Contracting Services Pty Ltd
Application received:	21 March 2024
Application area:	8.16 hectares of native vegetation within a 20.10 hectare clearing envelope
Purpose of clearing:	Dimension stone quarry
Method of clearing:	Mechanical
Property:	Lot 1 on Diagram 84693
Location (LGA area/s):	Shire of Jerramungup
Localities (suburb/s):	Jerramungup

1.2. Description of clearing activities

This amendment is to make a correction to the clearing envelope on the permit within which clearing is authorised (see Figure 1, Section 1.5). CPS 10280/1 allowed for the clearing of 8.16 hectares of native vegetation for the purpose of recommencing quarry operations. It was later identified that the clearing envelope was digitised using the proposed site layout rather than the clearing envelope which was applied for by the permit holder. This error was not identified until after CPS 10280/1 had been granted.

The amount of clearing sought under CPS 10280/2 is 8.16 hectares within a 20.10 hectare clearing envelope. The applicant advised that no clearing has been undertaken under CPS 10280/1 since the commencement of the permit in January 2024.

1.3. Decision on application

Decision:	Granted
Decision date:	14 June 2024
Decision area:	8.16 hectares of native vegetation within a 20.10 hectare clearing envelope, as depicted in Section 1.5, below.

1.4. Reasons for decision

This clearing permit amendment application was submitted, accepted, assessed and determined in accordance with sections 51E and 51O of the *Environmental Protection Act 1986* (EP Act). The Department of Water and Environmental Regulation (DWER) advertised the application for seven days and no submissions were received.

The environmental impact assessment has not changed since the original assessment for CPS 10280/1. The permit was recently granted in January 2024 and the total amount of clearing has not changed, only the size of the approved clearing envelope. On this basis, the Delegated Officer determined that the proposed amendment is not likely to lead to an unacceptable risk to environmental values.

1.5. Site map

CPS 10280/2

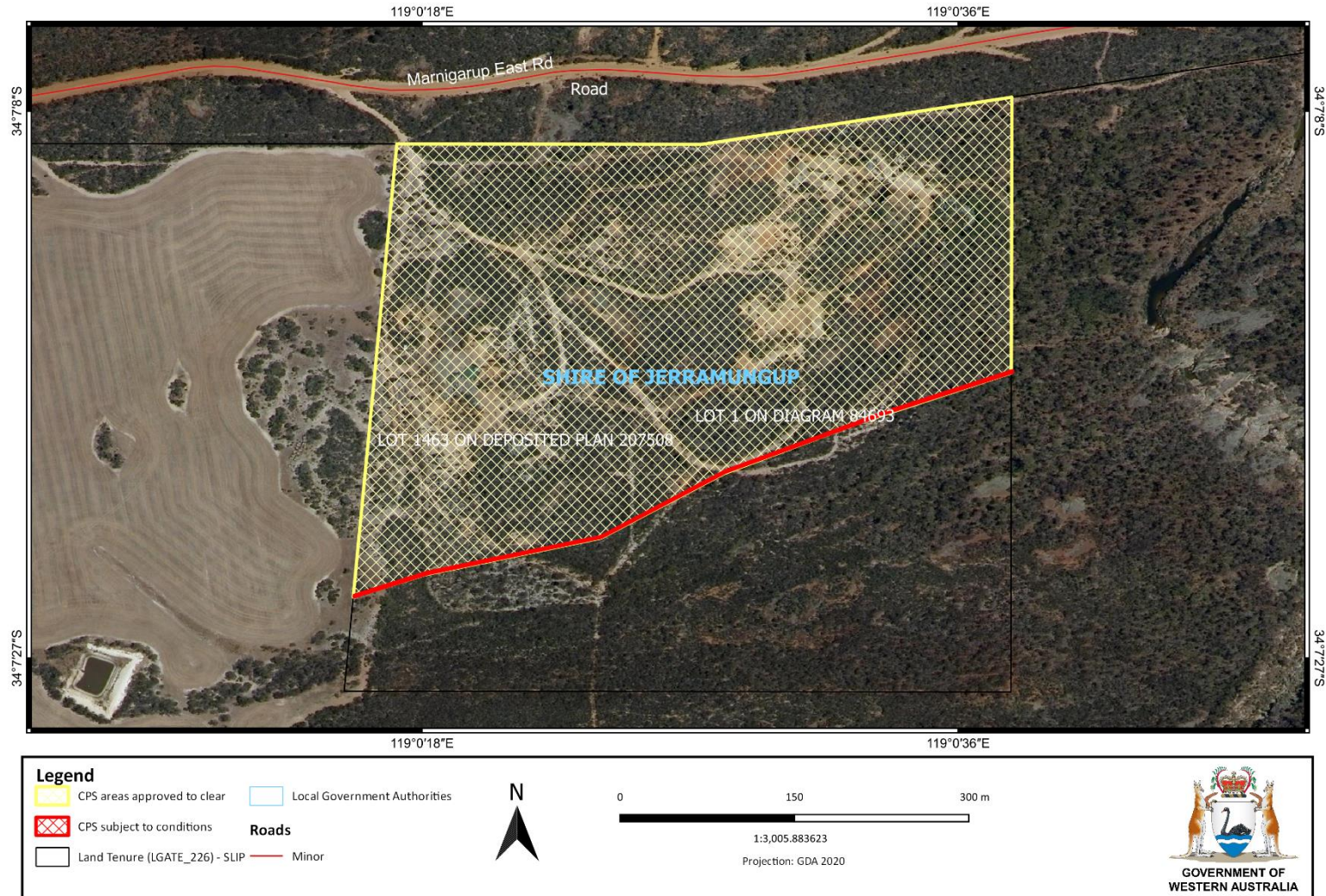


Figure 1. Map of the application area

The area cross-hatched yellow indicates the area authorised to be cleared under the granted clearing permit. The area cross-hatched red indicates the area within which specific conditions apply.

2 Legislative context

The clearing of native vegetation in Western Australia is regulated under the EP Act and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (Clearing Regulations).

In addition to the matters considered in accordance with section 51O of the EP Act (see Section 1.4), the Delegated Officer has also had regard to the objects and principles under section 4A of the EP Act, particularly:

- the precautionary principle
- the principle of intergenerational equity
- the polluter pays principle
- the principle of the conservation of biological diversity and ecological integrity.

Other legislation of relevance for this assessment include:

- *Biodiversity Conservation Act 2016* (WA) (BC Act)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)
- *Planning and Development Act 2005* (WA) (P&D Act)

The key guidance documents which inform this assessment are:

- *A guide to the assessment of applications to clear native vegetation* (DER, December 2013)
- *Procedure: Native vegetation clearing permits* (DWER, October 2019)

End

Appendix A. References

Department of Environment Regulation (DER) (2013). *A guide to the assessment of applications to clear native vegetation*. Perth. Available from: https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Guidelines/Guide2_assessment_native_veg.pdf.

Department of Water and Environmental Regulation (DWER) (2019). *Procedure: Native vegetation clearing permits*. Joondalup. Available from: https://dwer.wa.gov.au/sites/default/files/Procedure_Native_vegetation_clearing_permits_v1.PDF.

Stellar Contracting Services Pty Ltd (2024) *Clearing permit application to amend CPS 10280/1*, received 21 March 2024 (DWER Ref: DWERDT924104).

Stellar Contracting Services (2024) *Supporting information for clearing permit amendment application CPS 10280/1*, received 21 March 2024 (DWER Ref: DWERDT924104).