

GOVERNMENT OF  
WESTERN AUSTRALIA**CLEARING PERMIT***Granted under section 51E of the Environmental Protection Act 1986*

<b>Purpose Permit number:</b>	CPS 10428/2
<b>Permit Holder:</b>	Fulton Hogan Construction Pty Ltd
<b>Duration of Permit:</b>	From 11 January 2025 to 11 January 2030

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 constructing a materials offloading facility and associated infrastructure, and an accommodation compound, to facilitate the Cocos (Keeling) Islands Airfield Upgrade Project.

**2. Land on which clearing is to be done**

Lot 100 on Plan 18500, West Island Cocos (Keeling) Islands

Lot 3003 on Deposited Plan 44688 (Crown Reserve 47378), West Island Cocos (Keeling) Islands

**3. Clearing authorised**

The permit holder must not clear more than 3.29 hectares of *native vegetation* within the areas cross-hatched yellow in Figures 1 and 2 of Schedule 1.

**PART II – MANAGEMENT CONDITIONS****4. Wind erosion management**

The permit holder must ensure that construction activities occur no later than three (3) months after undertaking the *clearing* authorised under this permit.

**5. Avoid, minimise, and reduce the 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.

## 6. Weed 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*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no known *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 – direction and timing of clearing

The permit holder must:

- (a) conduct *clearing* activities authorised under this permit in a slow, progressive manner towards adjacent *native vegetation*;
- (b) allow a reasonable time for native vertebrate fauna present within the area being cleared under this permit to move into adjacent *native vegetation* ahead of the *clearing* activity; and
- (c) restrict *clearing* activities to *daytime hours* to minimise the risk of injury to fauna.

## 8. Fauna management – nesting birds

The permit holder must:

- (a) engage a *fauna specialist* to inspect the *native vegetation* authorised to clear under this permit immediately prior to *clearing*, to identify any evidence of nesting native birds.
- (b) where nesting native birds are identified under *condition 8(a)*, maintain a minimum 50-metre buffer between any *clearing* activity authorised under this permit and the identified nesting birds until the nest is no longer in use, as determined by a *fauna specialist*, unless otherwise approved by the *CEO*.
- (c) where evidence of *conservation listed* nesting birds is identified under *condition 8(a)*, include the following in a report submitted to the *CEO*:
  - (i) the species and number of each nesting bird identified;
  - (ii) the date each nesting bird was identified;
  - (iii) the location where each nest was identified, recorded using a GPS unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings or decimal degrees; and
  - (iv) measures taken to provide a 50-metre buffer between any nest identified and *clearing* activities, unless otherwise approved by the *CEO* under *condition 8(b)*.

## PART III - RECORD KEEPING AND REPORTING

### 9. 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 <i>clearing</i> activities generally	<ul style="list-style-type: none"> <li>(a) the species composition, structure, and density of the cleared area;</li> <li>(b) the location where the <i>clearing</i> occurred, recorded using a Global Positioning System (GPS) unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings;</li> <li>(c) the date that the area was cleared;</li> <li>(d) the size of the area cleared (in hectares);</li> <li>(e) actions taken to avoid, minimise, and reduce the impacts and extent of <i>clearing</i> in accordance with <i>condition 5</i>;</li> <li>(f) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> in accordance with <i>condition 6</i>; and</li> <li>(g) actions taken in accordance with <i>condition 7</i>.</li> </ul>
2.	In relation to fauna management pursuant to <i>condition 8</i>	<ul style="list-style-type: none"> <li>(a) results of the pre-clearance fauna inspection undertaken in accordance with <i>condition 8(a)</i>; and</li> <li>(b) a copy of the fauna report in accordance with <i>condition 8(c)</i>.</li> </ul>

### 10. Reporting

- (a) The permit holder must provide to the *CEO* on or before 30 June of each year, a written report containing:
  - (i) the records required under *condition 9*; and
  - (ii) records of activities done by the permit holder under this permit between 1 January and 31 December of the preceding calendar year.
- (b) If no *clearing* authorised under this permit has been undertaken, a written report confirming that no *clearing* under this permit has been carried out, must be provided to the *CEO* on or before 31 December of each calendar year.
- (c) The permit holder must provide to the *CEO*, no later than 90 calendar days prior to the expiry date of this permit, a written report of records required under *condition 9*, where these records have not already been provided under *condition 10(a)*.

## DEFINITIONS

In this permit, the terms in Table 2 below have their 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.
conservation listed	means those fauna species listed as Migratory under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
daytime hours	means the duration starting 30 minutes before sunrise and ending 30 minutes after sunset.
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 2.
EP Act	<i>Environmental Protection Act 1986</i> (WA) (CKI).
fauna specialist	means a person who holds a tertiary qualification specialising in environmental science or equivalent, and has experience in fauna identification and surveys of fauna native to the area being inspected, or who is approved by the CEO as a suitable fauna specialist for the area.
fill	means material used to increase the ground level, or to fill a depression.
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.
weeds	means any plant – <ol style="list-style-type: none"> <li>(a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; or</li> <li>(b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or</li> <li>(c) not indigenous to the area concerned.</li> </ol>

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## END OF CONDITIONS



**Meenu Vitarana**  
MANAGER  
NATIVE VEGETATION REGULATION

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

18 February 2025



# Schedule 1

The boundaries of the areas authorised to clear under this permit are shown in Figures 1 and 2 below.



**Figure 1:** Map of the boundary of the area within which *clearing* may occur cross-hatched yellow.



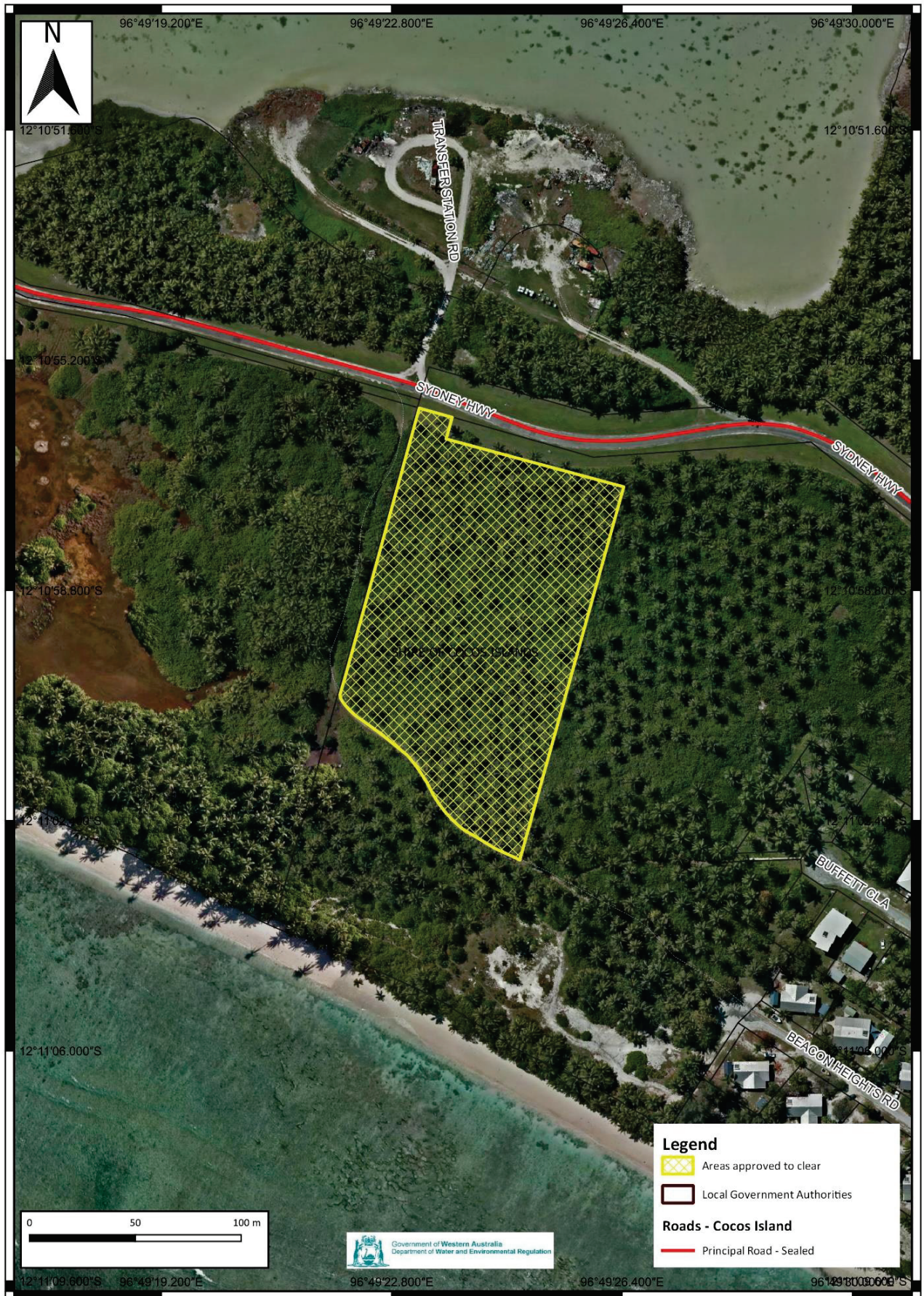


Figure 2: Map of the boundary of the area within which *clearing* may occur cross-hatched yellow.





# Clearing Permit Decision Report

## 1 Application details and outcome

### 1.1. Permit application details

<b>Permit number:</b>	CPS 10428/2
<b>Permit type:</b>	Purpose permit
<b>Applicant name:</b>	Fulton Hogan Construction Pty Ltd (Fulton Hogan)
<b>Application received:</b>	31 January 2025
<b>Application area:</b>	3.29 hectares
<b>Purpose of clearing:</b>	Constructing a materials offloading facility and associated infrastructure, and an accommodation compound, to facilitate the Cocos (Keeling) Islands Airfield Upgrade Project
<b>Method of clearing:</b>	Mechanical
<b>Property:</b>	Lot 100 on Plan 18500 and Lot 3003 on Deposited Plan 44688 (Crown Reserve 47378)
<b>Location:</b>	Shire of Cocos (Keeling) Islands
<b>Locality:</b>	West Island, Cocos (Keeling) Islands

### 1.2. Description of application

On 20 December 2024, clearing permit CPS 10428/1 (CPS 10428/1) was granted to Fulton Hogan to clear 1.81 hectares of native vegetation for the purposes listed above.

This amendment application is to increase the extent of approved native vegetation clearing from 1.81 hectares to 3.29 hectares, within largely the same footprint areas approved to clear under CPS 10428/1.

Since CPS 10428/1 was granted, the applicant has undertaken the majority of required clearing to facilitate the materials offloading facility (MOF) within the Rumah Baru application area, largely comprising Lot 100 on Plan 18500 (See Figure 1) (Fulton Hogan, 2025).

The extent of clearing required at Rumah Baru was initially considered to be 0.19 hectares of native vegetation. However, the applicant has advised that during clearing it became apparent that additional native vegetation had regrown within areas previously identified as 'cleared' during biological surveys (Fulton Hogan, 2025; GHD, 2021; GHD, 2023). These areas of regrowth were in a poor condition (Fulton Hogan, 2025).

Accounting for this regrowth, the applicant required additional clearing and has subsequently cleared 1.63 hectares of native vegetation at the Rumah Baru application area to date (of which 1.44 hectares is recent regrowth native vegetation in a poor condition) (Fulton Hogan, 2025). Further clearing of 0.04 hectares is still required in this area, which is the only change proposed to the boundaries of the clearing area by this amendment. This would increase the extent of total native vegetation clearing required at the Rumah Baru application area to 1.67 hectares, which is 1.48 hectares more than the 0.19 hectares initially thought to require clearing in this area.

Given the above and noting that clearing for the accommodation compound within Lot 3003 on Deposited Plan 44688 (see Figure 2) will require the clearing of 1.62 hectares of native vegetation, the applicant has sought to increase the extent of clearing by 1.48 hectares, to 3.29 hectares.

### 1.3. Decision on application

<b>Decision:</b>	Granted
<b>Decision date:</b>	18 February 2025
<b>Decision area:</b>	3.29 hectares of native vegetation, as depicted in Section 1.5, below.

#### 1.4. Reasons for decision

On 7 February 2025, the amendment application was advertised for public comment for a period of 7 days. No submissions were received.

The amendment application has been assessed against the clearing principles, planning instruments and other matters in accordance with sections 51KA and 51O of the *Environmental Protection Act 1986*, and the Delegated Officer has concluded that the assessment has not changed since the assessment of CPS 10428/1. The details of that assessment can be found in Decision Report CPS 10428/1.

This is noting that the areas proposed to clear as part of this amendment have almost entirely been previously assessed under CPS 10428/1, which was recently granted on 20 December 2024.

The regrowth vegetation which has been cleared within the Rumah Baru application area to date, within areas previously considered as 'cleared' and devoid of native vegetation, is not considered to contain any significant environmental values, and would not have been subject to conditions that were in addition to those currently imposed on clearing permit CPS 10428/1.

The one minor change to the Rumah Baru application area is the addition of a small 0.04 hectare area, as shown in Figure 1. This vegetation within this additional area is consistent with that occurring in the broader Rumah Baru application area, and the proposed clearing of this area is not likely to result in any significant environmental impacts.

Given the above, the Delegated Officer determined that the environmental impacts associated with the proposed clearing under this amendment can be appropriately managed through the conditions previously imposed on clearing permit CPS 10428/1.



1.5. Site map(s)



Figure 1. Map of the Rumah Baru application area cross-hatched yellow, for the MOF.



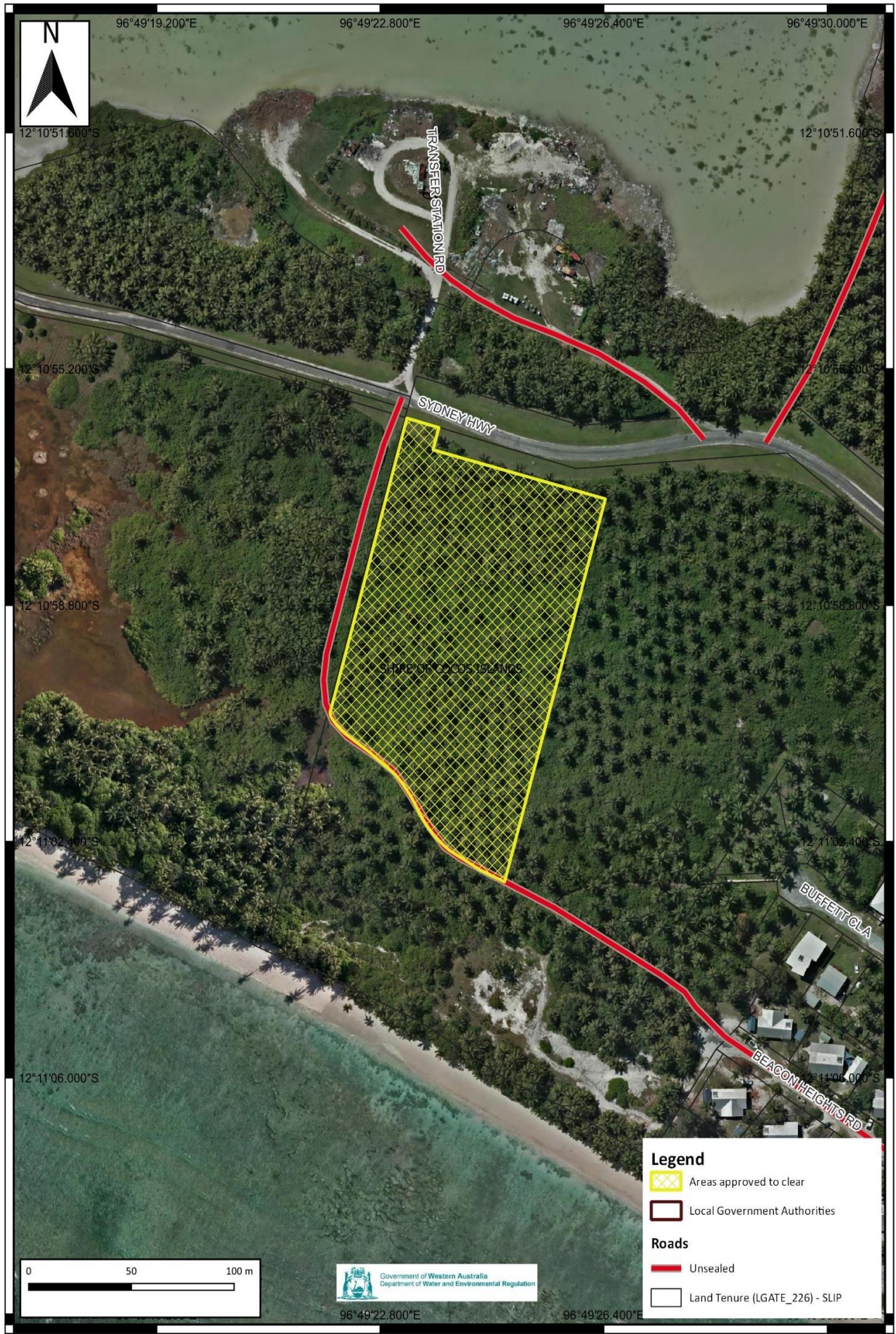


Figure 2. Map of the Lot 3003 application area cross-hatched yellow, for the accommodation compound.



## 2 Legislative context

The legislative context for this amendment is unchanged from Clearing Permit CPS 10428/1 and can be found in Decision Report CPS 10428/1.

## 3 Detailed assessment of application

### 3.1. Avoidance, minimisation and mitigation measures

The applicant has advised that the proposed clearing is the minimum amount necessary for the project. As part of this amendment, the applicant has committed to implement the same environmental impact minimisation and management measures that were proposed under CPS 10428/1. These measures were considered adequate and are discussed in Decision Report CPS 10428/1.

### 3.2. Assessment of impacts on environmental values

In assessing this application, the Delegated Officer had regard for the site characteristics and the extent to which the impacts of the proposed clearing present a risk to biological, conservation, and land and water resource values. Given that the areas proposed for clearing are largely the same as that granted under CPS 10428/1, the assessment of environmental impacts set out in Decision Report CPS 10428/1 has not changed for this amendment.

The 1.63 hectares regrowth vegetation that was cleared within the Rumah Baru application area, which was previously considered to be cleared (GHD, 2021; GHD, 2023), comprised *Scaevola taccada* and *Melanthera biflora* semi-closed shrubland over *Morinda citrifolia* and *Sesbania grandiflora* tall open shrubland over *Ipomoea pes-caprae* creeper over weeds (\**Tridax procumbens* and \**Turnera ulmifolia*), in a poor condition (WSP, 2024). This vegetation is not considered to comprise any significant environmental values and would not have been subject to conditions that were in addition to those currently imposed on clearing permit CPS 10428/1

The one minor change to the Rumah Baru application area is the addition of a small 0.04 hectare area, as shown in Figure 1. This area was included within the initial application area for CPS 10428/1, however was later excluded noting the applicant required authority to access this area from the Shire of Cocos (Keeling) Islands. The vegetation recorded in this area was described as *Cocos nucifera* closed forest in a good condition, and regrowth semi-closed shrubland (as described above) in a poor condition (WSP, 2024). This vegetation is consistent with that occurring in the broader Rumah Baru application area, which was assessed under CPS 10428/1.

Given the above, it is considered that the environmental impacts associated with the proposed clearing under this amendment can be appropriately managed through the conditions previously imposed on clearing permit CPS 10428/1

### 3.3. Relevant planning instruments and other matters

The applicant has obtained authority from the Shire of Cocos (Keeling) Islands to access the additional 0.04 hectare area associated with the Rumah Baru application area.

With the exception of the above, the assessment against relevant planning instruments and other matters has not changed and can be found in Decision Report CPS 10428/1.

**End**



## Appendix A. Sources of information

### A.1. References

- Fulton Hogan Construction Pty Ltd (Fulton Hogan) (2025) Supporting information for Clearing Permit Amendment Application CPS 10428/2 (DWER Reference DWERDT1069640).
- GHD (2021) Technical Memorandum. *Flora and Fauna Survey – Enabling Works Areas*. Unpublished Report prepared for Fulton Hogan Construction Pty Ltd (DWER Reference DWERDT872091).
- GHD (2023) Technical Memorandum. *Native Vegetation Clearing Permit Supporting Information*. Unpublished Report prepared for Fulton Hogan Construction Pty Ltd (DWER Reference DWERDT872091).
- Shire of Cocos (Keeling) Islands (2024) *Shire landowner authority to access*, received 5 February 2025 (DWER Reference DWERDT1074174).
- WSP (2024) Terrestrial Preclearance Survey – Stilling Basin. Prepared for Fulton Hogan Pty Ltd (DWER Reference DWERDT1069640).