



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 4471/1
Permit Holder:	Perthwaste Pty Ltd
Duration of Permit:	23 April 2012 – 23 April 2017

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 for the construction of landfill waste placement cells an office and perimeter road.

2. Land on which clearing is to be done

Lot 2 on Plan 2767 (Bannister)

3. Area of Clearing

The Permit Holder must not clear more than 4.31 hectares of native vegetation within the area cross hatched yellow on attached Plan 4471/1.

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.

5. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation for activities to the extent that the Permit Holder has the power to clear native vegetation for those activities under the *Local Government Act 1995* or any other written law.

6. Compliance with Assessment Sequence and Management Procedures

Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

7. Avoid, minimise etc 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:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

8. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the area(s) shall be inspected by a *fauna specialist* who shall:
- (i) identify *habitat trees* suitable to be utilised by Carnaby's black cockatoo (*Calyptorhynchus latirostris*), Baudins black cockatoo (*Calyptorhynchus baudinii*) and Red-tailed black cockatoo (*Calyptorhynchus banksii naso*); and
 - (ii) inspect *habitat trees* identified under condition 8(a)(i) for the presence of Carnaby's black cockatoo (*Calyptorhynchus latirostris*), Baudins black cockatoo (*Calyptorhynchus baudinii*) and Red-tailed black cockatoo (*Calyptorhynchus banksii naso*).
- (b) Where *habitat trees* identified under condition 8(a) contain hollows suitable for use by Carnaby's black cockatoo (*Calyptorhynchus latirostris*), Baudin's black cockatoo (*Calyptorhynchus baudinii*) and Red-tailed black cockatoo (*Calyptorhynchus banksii naso*), the Permit Holder shall retain these *habitat trees* in situ, or if this is not possible the Permit Holder shall:
- (i) remove and retain intact hollows;
 - (ii) each removed and retained intact hollow shall be attached to a tree located within no more than 10 km from any clearing authorised under this Permit;
 - (iii) each removed and retained intact hollow shall be attached to a tree within one month of removing it; and
- (c) Where fauna are identified in relation to conditions 8(a)(ii) of this Permit, the Permit Holder shall ensure that no taking of identified fauna occurs unless approved by the CEO.

PART III - RECORD KEEPING AND REPORTING

9. Records must 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 species composition, structure and density of the cleared area;
 - (ii) 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;
 - (iii) the date that the area was cleared; and
 - (iv) the size of the area cleared (in hectares).
- (b) In relation to fauna management pursuant to condition 8 of this Permit:
- (i) the location of each tree that contains hollows, 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 species name of fauna reasonably likely to utilise, or that have been observed utilising, the trees that contain hollows;
 - (iii) the location of surrogate trees for relocation with vacant hollows, 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; and
 - (iv) the location and date where relocated fauna was released, 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.

10. 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 9 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 July and 30 June of the preceding year.

(b) Prior to 23 December 2016, the Permit Holder must provide to the CEO a written report of records required under condition 9 of this Permit where these records have not already been provided under condition 10(a) of this Permit.

DEFINITIONS

The following meanings are given to terms used in this Permit:

fauna clearing person means a person who has obtained a licence from the Department, issued pursuant to the *Wildlife Conservation Regulations 1970* authorising them to take fauna;

fauna specialist means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna; and

habitat tree(s) means trees that have a diameter, at average adult human chest height, of greater than 50cm, healthy but with dead limbs and broken crowns that are likely to contain hollows and roosts suitable for native fauna, or where these are not present then healthy but with the potential to contain hollows and roosts.

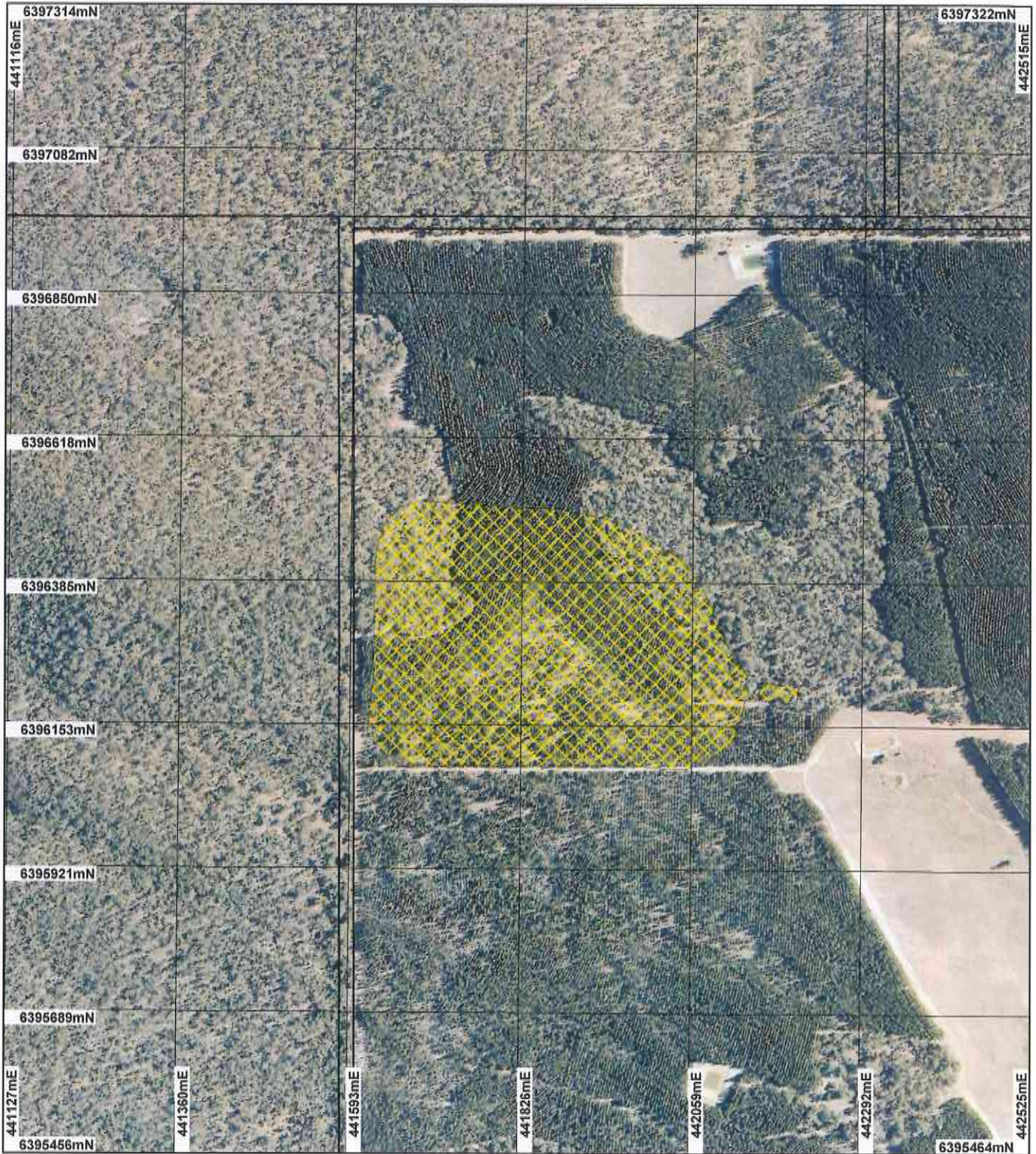


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

29 March 2012

Plan 4471/1



LEGEND

Clearing Instruments

-  Areas Approved to Clear
-  Cadastre
-  Dwellingup 50cm Orthomosaic - Landgate 2006



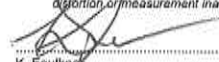
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(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

 Date 29/3/12
K. Faulkner

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



Department of Environment and Conservation

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1. Application details

1.1. Permit application details

Permit application No.: 4471/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Perthwaste Pty Ltd

1.3. Property details

Property: LOT 2 ON PLAN 2767 (BANNISTER 6390)
Local Government Area: Shire of Boddington
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
4.31		Mechanical Removal	Building or Structure

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 29 March 2012

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Beard Vegetation Association 3: Medium forest; jarrah-marri (Shepherd, 2009).	The application is to clear 4.31ha of native vegetation within an 18.9ha footprint on Lot 2, Banister for the purpose of constructing a landfill waste cell, office and road.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The description and condition of the native vegetation under application was sourced from a Department of Environment and Conservation site visit undertaken on 23 August 2011 (DEC 2011)
Mattiske Vegetation Complex (D4) Dwellingup: Open forest to woodland of Eucalyptus marginata subsp. thalassica-Corymbia calophylla on lateritic uplands in semiarid and arid zones (Mattiske and Havel, 1998).	The application area consists of an eastern and western section that is divided by a blue gum plantation in the centre of the application areas. The vegetation under application is very open, consisting predominantly of Eucalyptus marginata, Corymbia calophylla, Banksia grandis and Allocasuarina fraseriana. It is considered to be in a degraded (Keighery, 1994) condition (DEC, 2011). There is no middle storey and very little ground cover present with evidence of historic logging and old vehicle tracks throughout the area under application, with weed invasion occurring (DEC, 2011).		
Pindalup (Pn): Open forest of Eucalyptus marginata subsp. thalassica-Corymbia calophylla on slopes and open woodland of Eucalyptus wandoo with some Eucalyptus patens on the lower slopes in semiarid and arid zones (Mattiske and Havel, 1998).			
Heddele Vegetation Complex Cooke: Mosaic of open forest of Eucalyptus marginata subsp. marginata-Corymbia calophylla (subhumid zone) and open forest of Eucalyptus marginata subsp. thalassica-Corymbia calophylla (semiarid and arid zones) and on deeper			

soils adjacent to outcrops, closed heath of Myrtaceae-Proteaceae species and lithic complex on granite rocks and associated soils in all climate zones, with some *Eucalyptus laellae* (semiarid), and *Allocasuarina huegeliana* and *Eucalyptus wandoo* (Heddie et al, 1980).

3. Assessment of application against clearing principles

Comments

The application is to clear 4.31ha of native vegetation within a footprint area of 18.9ha on Lot 2, Banister for the purpose of constructing a landfill waste cell, office and road. The application is approximately 98km south west of the Perth central business district in the Shire of Boddington.

The application area consists of an eastern and western section that is divided by a blue gum plantation in the middle of the application areas. The vegetation under application is very open, consisting predominantly of *Eucalyptus marginate*, *Corymbia calophylla*, *Banksia grandis* and *Allocasuarina fraseriana*. It is considered to be in a degraded (Keighery, 1994) condition (DEC, 2011).

Within the local area (10km radius) several fauna species listed as rare or likely to become extinct have been recorded; these included the *Calyptorhynchus banksii* (Forest red-tailed black cockatoo), *Calyptorhynchus baudinii* (Baudin's black cockatoo) and *Calyptorhynchus latirostris* (Carnaby's black cockatoo). The area under application contains foraging vegetation and trees suitable for nesting for black cockatoo species.

The development of nesting hollows is a dynamic process and so the existing nesting hollows are important as well as the maintenance of healthy trees to allow for the development of future hollows. Clearing and subsequent land degradation has eliminated most of the breeding habitat for black cockatoos. These birds require old trees with large hollows in which to nest, which may take many decades for trees planted now to become suitable. Competition for nesting hollows by increasing numbers of galahs, western corellas and non native honey bees is significant (Burbridge 2004).

A recent site inspection of the area under application identified potential nesting trees for black cockatoo species with one tree containing a large hollow (DEC 2011). Forest red-tailed black cockatoo species were also observed during the site inspection within and around the area under application.

Given that the application area contained trees suitable for nesting for black cockatoo species, principle (b) is at variance. Hollows identified in trees fallen from the clearing suitable for black cockatoo species should be retained and artificial nesting boxes should be constructed and relocated in a similar vegetation habitat area to mitigate the potential loss of habitat trees for black cockatoo species.

Priority 4 species *Tetratheca similis* was recorded approximately 600 metres from the area under application within an area of vegetation in a very good (Keighery, 1994). Given the degraded (Keighery, 1994) condition (DEC, 2011) of the vegetation under application it is unlikely that flora species of conservation significance exist within the application area therefore are unlikely to be impacted upon from the proposed clearing.

A flora and vegetation survey conducted within Lot 2 (application area) by ENV Australia (2011) on the 25 November 2010 identified 28 species of flora taxa, 26 native and 2 introduced species. Of the 26 native flora taxa identified none were considered to be declared or priority flora species. DEC noted that the flora and vegetation survey conducted by ENV Australia is not in accordance with the Environmental Protection Authority Guidance Statement No. 51.

The area under application is within the Jarrah Forrest IBRA Bio-region, which has approximately 55% of its pre-European vegetation remaining. The vegetation complexes within the area under application are well represented and the local area (10km radius) is not considered to be extensively cleared with approximately 80% vegetation remaining.

The area under application is approximately 600 metres north-east from the Dwellingup State Forrest. The area between the State Forrest and the area under application has been subjected to previously logging and consists mainly of Tasmanian blue gums regrowth. Given the degraded (Keighery, 1994) condition (DEC, 2011) of the vegetation under application and the loss of ecological linkages to conservation areas the proposed clearing is unlikely to impact the Dwellingup State Forrest.

Given the evidence of historic logging and the degraded (Keighery, 1994) condition of the vegetation under application (DEC, 2011), it is unlikely that the proposed clearing will impact on, ground water, surface water quality or cause appreciable land degradation in the local area.

The application has been assessed against the clearing principles and is at variance to principle (b) and not likely to be at variance to the remaining clearing principles.

Methodology References
Burbidge (2004)
ENV Australia (2011)
DEC (2011)
DEC (2007)
Keighery (1994)
Shepherd (2009)

GIS Layers
- DEC Tenure
- SAC Biodatasets (accessed August 2011)

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

The application was previously referred to the Environmental Protection Authority (EPA) on the 25 May 2011. It was not assessed and public advice was given on the 10 June 2011. Potential impacts of odour, noise and visual amenity on the Bibbulman Track which is located 400 metres away of its closest point were identified. Small amount of Black cockatoo habitat disturbed including one possible breeding tree.

The Department of Sustainability, Environment, Water, Population and Communities decided on the 15 July 2011 that the proposed clearing of 4.31ha of native vegetation is not a controlled action, therefore no further assessment or approval under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) are required.

The Shire of Boddington on the 20 September, 2011 conditionally approved planning for the proposed landfill facility.

Works approval under the Environmental Protection Act 1986 has been granted by the DEC Industry regulation for Lot 2 on Plan 2767.

Methodology Shire of Boddington (2011)

4. References

- Burbidge, A. (2004) Threatened Animals of Western Australia, Department of Conservation and Land Management, Perth, Western Australia.
- DEC (2007 -) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed August 2011
- DEC (2011) Site Inspection Report for Clearing Permit Application CPS 4471/1, Lot 2 on Plan 2767, Albany Hwy, Bannister. Site inspection undertaken 23/8/2011. Department of Environment and Conservation, Western Australia (TRIM Ref. DOCA428488).
- ENV Australia (2011) Report, In Perthwaste Pty Ltd Clearing Permit Application CPS 4471/1 and supporting documentation. DEC ref: A414388
- Hedde, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, 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.
- Mattiske, E.M. and Havel, J.J. (1998) Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment Australia.
- Shepherd, D.P. (2009) Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.
- Shire of Boddington (2011) Information received for Clearing Permit Application CPS 4471/1 Perthwaste DEC Ref DOC:A443241

5. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation

DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment
DoIR	Department of Industry and Resources
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DEC)