



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 5107/1

File Number: 2012/004181-1

Duration of Permit: From 17 August 2013 to 17 August 2015

PERMIT HOLDER

BGC Australia Pty Ltd on Behalf of Innovation Properties Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Lot 5 on Diagram 28855 (The Lakes)

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 2.6 hectares of native vegetation and 11 native trees within the area hatched yellow on attached Plan 5107/1.

CONDITIONS

1. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to conduct a *fauna survey* of the Permit Area to identify *black cockatoo habitat tree/s* being utilised by fauna species listed below:
 - (i) *Calyptorhynchus lateriosis* (*Carnaby's cockatoo*);
 - (ii) *Calyptorhynchus baudins* (*Baudin's cockatoo*); and
 - (iii) *Calyptorhynchus banksii naso* (*Forest Red-tailed Black Cockatoo*).
- (b) Where fauna are identified under condition 1(a) of this Permit, the Permit Holder shall engage a *fauna specialist* to map *black cockatoo habitat tree/s* within the Permit Area.
- (c) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide the results of the *fauna survey* in a report to the CEO.
- (d) The *fauna survey* report must include the following:
 - (i) the location of the *black cockatoo habitat tree/s* 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 location of any fauna species listed in condition 1(a), if identified, 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;
 - (iii) the name and amount of each fauna species identified;
 - (iv) the methodology, used to survey the Permit Area; and
 - (v) a description of the *black cockatoo habitat tree/s* identified.
- (e) where fauna are identified under condition 1(b) of this Permit, the Permit Holder shall ensure that:
 - (i) no clearing within 10 metres of *black cockatoo habitat tree/s* of the identified fauna occurs, unless first approved by the CEO; and
 - (ii) no taking of identified fauna occurs, unless first approved by the CEO.

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) shall only move soils in *dry conditions*;
- (c) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

3. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (a) 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) within 3 months following completion of extractive activities, *revegetate* and *rehabilitate* the area(s) that are 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 5 metres of uncleared land; and
 - (ii) laying the vegetative material and topsoil retained under condition 3(a) on the cleared area(s).
- (c) within 24 months of laying the vegetative material and topsoil on the cleared area in accordance with condition 3(b) of this Permit:
 - (i) engage an *environmental specialist* to determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and
 - (ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under condition 3(c)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, *revegetate* the area by deliberately *planting* and/or *direct seeding* native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area and ensuring only *local provenance* seeds and propagating material are used.
- (d) Where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 3(c)(ii) of this permit, the Permit Holder shall repeat condition 3(c)(i) and 3(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (e) Where a determination by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, as determined in condition 3(c)(i) and (ii) of this permit, that determination shall be submitted for the CEO's consideration. If the CEO does not agree with the determination made under condition 3(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 3(c)(ii).

4. Records to 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 or decimal degrees;
 - (iii) the date that the area was cleared; and
 - (iv) the size of the area cleared (in hectares).

- (b) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 3 of this Permit:
 - (i) the location of any areas *revegetated* and *rehabilitated*, 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) a description of the *revegetation* and *rehabilitation* activities undertaken;
 - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares);
 - (iv) the species composition, structure and density of *revegetation* and *rehabilitation*, and
 - (v) a copy of the environmental specialist's report.

5. Reporting

- (a) The Permit Holder must provide to the CEO on or before 1 July of each year, a written report:
 - (i) of records required under condition 4 (records to be kept) of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit 1 July to 30 June of the preceding financial year.

- (b) If no clearing authorised under this Permit was undertaken between 1 July to 30 June of the preceding financial year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 1 July of each year.

- (c) Prior to 17 May 2015, the Permit Holder must provide to the CEO a written report of records required under condition 4 of this Permit where these records have not already been provided under condition 5(a) of this Permit.

DEFINITIONS

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

black cockatoo habitat tree/s: means trees that have a diameter, measured at 1.5 metres from the base of the tree, of 50 centimetres or greater;

dieback means the effect of *Phytophthora* 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;

dry conditions means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

environmental specialist: means a person who holds a tertiary qualification in environmental science or equivalent, and has 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.

fauna specialist: means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*;

fauna survey: means a field-based investigation, including a review of established literature, of the biodiversity of fauna and/or fauna habitat of the Permit Area. Where conservation significant fauna are identified in the Permit Area, the survey should also include sufficient surrounding areas to place the Permit Area into local context.

fill means material used to increase the ground level, or fill a hollow;

local provenance means native vegetation seeds and propagating material from natural sources within 50 kilometres and the same Interim Biogeographic Regionalisation for Australia (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;

planting means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

regenerate/ed/ion means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) contained either within the topsoil or seed-bearing *mulch*;

rehabilitate/ed/ion means actively managing an area containing native vegetation in order to improve the ecological function of that area;

revegetate/ed/ion 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 -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in the Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.

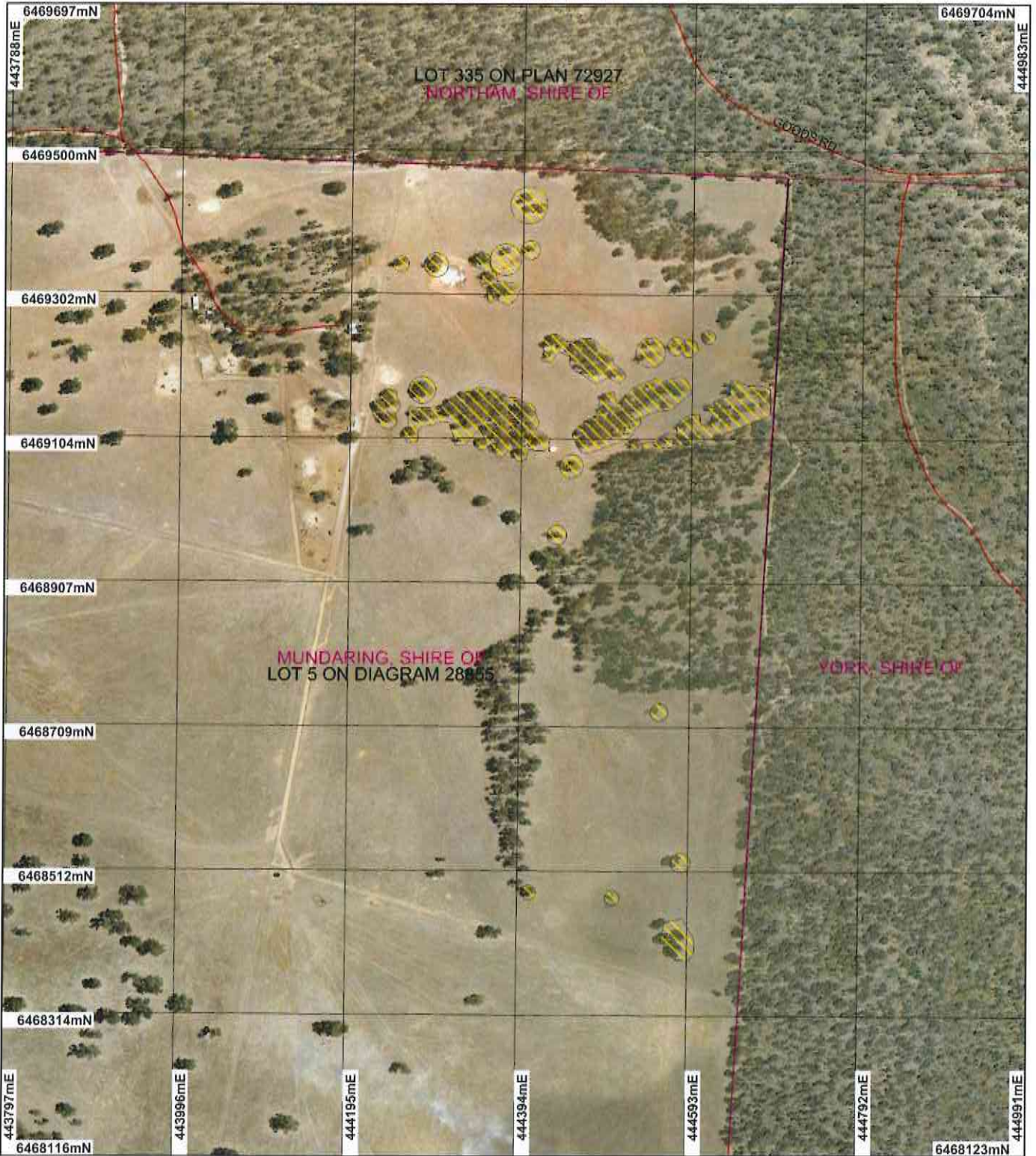
B. Walker

Belinda Walker
A/MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

18 July 2013

Plan 5107/1



LEGEND

Clearing Instruments

- Areas Approved to Clear
- Road Centrelines
- Cadastre
- Local Government Authorities

Perth Metropolitan North
East 40cm Orthomosaic -
Landgate 2005



0 200 m

Scale 1:6996

(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.

B. Walker Date *18/7/13*

Belinda Walker

Officer with delegated authority under Section 20 of
the Environmental Protection Act 1986

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



Government of Western Australia
Department of Environment Regulation

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Clearing Permit Decision Report

Government of Western Australia
Department of Environment Regulation

1. Application details

1.1. Permit application details

Permit application No.: 5107/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: BGC Australia Pty Ltd on behalf Innovation Properties Pty Ltd

1.3. Property details

Property: LOT 5 ON DIAGRAM 28855 (THE LAKES 6556)
Local Government Area: Shire of Mundaring
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2.6	11	Mechanical Removal	Extractive Industry

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 18 July 2013

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
The application area has been mapped as: Beard vegetation association 3003. Medium forest of Jarrah & Marri on laterite with Wandoo in valleys, sandy swamps with Teatree and Banksia (Shepherd et al, 2001). Mattiske vegetation complex Y5. Mixture of open forest of Eucalyptus marginata subsp. thalassica - Corymbia calophylla and woodland of Eucalyptus wandoo on lateritic uplands in semiarid to perarid zones (Mattiske and Havel, 1998). Mattiske vegetation complex 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).	The vegetation under application consists of Eucalyptus wandoo and Corymbia calophylla within extensively grazed farmland. The Corymbia calophylla are of significant size and age.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994).	The vegetation condition was determined by a site inspection undertaken by the then Department of Environment and Conservation staff (DEC, 2012).

3. Assessment of application against clearing principles

Comments **Proposal is not likely to be at variance to this Principle**

The application is to clear up to 2.6 hectares of native vegetation and 11 native trees within Lot 5 Abercorn road, The Lakes, for the purpose of clay extraction.

Calyptorhynchus banksii subsp. naso (forest red-tailed black-cockatoo), Calyptorhynchus baudinii (Baudin's cockatoo) and Calyptorhynchus latirostris (Carnaby's cockatoo) are listed as rare or likely to become extinct on the Wildlife Conservation Act 1950 and have been recorded within the local area (10 kilometre radius) (DEC, 2007-).

The application area has been mapped as Carnaby's cockatoo feeding habitat, falls within 10 kilometres of three confirmed roost sites and falls within 13 kilometres of a confirmed breeding site. A site inspection of the application area, conducted by then Department of Environment and Conservation staff established the presence of large Eucalypts suitable for black cockatoo roosting and nesting (DEC, 2012). Given this the application area may impact upon habitat for black cockatoos. Fauna management conditions will assist in mitigating this impact.

The area under application falls along the boundary of the Mundaring State Forest (A class reserve). This close proximity (within two metres) may increase the risk of weed and dieback spreading into the reserve. Weed and dieback management practices will assist in minimising this risk.

The proposed clearing lies within zone A of the Country Areas Water Supply Act 1947 (CAWS Act) Mundaring Weir Catchment Area. As this zone holds a very high salinity risk, the proposed clearing may lead to deterioration in the quality of surface and groundwater. The management commitments stated in Brikmakers, Proposed Clay Extractive Industry proposal document (Stephens, 2012), are likely to adequately manage this risk.

The application area consists of Eucalyptus wandoo and Corymbia calophylla with no mid or understorey present. Given this, the application area is not likely to contain a high level of biological diversity, rare flora, be representative of a threatened ecological community, cause appreciable land degradation or exacerbate the incidence of flooding. All vegetation complexes are well represented and no watercourses or wetlands are present.

The proposed clearing may be at variance to principles (b), (h) and (i) and is not likely to be at variance to the remaining clearing principles.

Methodology References
DEC (2012)
DEC (2007 -)
Department of Water (2012)
Keighery (1994)
Stephens (2012)

Methodology
- Matiske Vegetation (1998)
- Mundaring 1m Orthomosaic (DLI 2000)
- SAC Biodatasets (accessed July 2013)

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

Comments

The proposed clearing lies within zone A of the Country Areas Water Supply Act 1947 (CAWS Act) Mundaring Weir Catchment Area. DoW (2012) has advised that they have no objections to the proposed clearing provided that the management commitments stated in Brikmakers, Proposed Clay Extractive Industry proposal document (Stephens, 2012) are fulfilled.

Development approval from the West Australian Planning Commission (WAPC) was granted on the 28 March 2013. The Shire of Mundaring assessed the application and provided comment for WAPC to consider. No further licensing is required from the Shire (Shire of Mundaring, 2013).

No aboriginal sites of significance are present within the application area and no public submissions were received.

Methodology References:
DoW (2012)
Stephens (2012)
Shire of Mundaring (2013)

4. References

DEC (2007 -) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed 11/07/2012

DEC (2012) Site Inspection Report for Clearing Permit Application CPS 5107/1, Lot 5 Abercorn Road, The Lakes. Site inspection undertaken 30/07/2012. Department of Environment and Conservation, Western Australia (TRIM Ref. DOC A 528972).

Department of Water (2012) Advice received from the Department of Water for clearing application CPS 5107/1. Lot 5 Abercorn road, The Lakes. Received 1/08/12 (TRIM Ref. DOC A 529261)

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Matiske, 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., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.

Stephens (2012). Proposed Clay Extractive Industry, Lot 5, Abercorn Road The Lakes, Shire of Mundaring. Landform Research, Brikmakers Pty Ltd (DEC Ref: A514170).