



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 5226/1
File Number: DER2013/001186
Duration of Permit: From 7 June 2014 to 7 June 2016

PERMIT HOLDER

SIMS Group Australia Holdings Limited

LAND ON WHICH CLEARING IS TO BE DONE

Lot 100 on Deposited Plan 73740, Kwinana Beach

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 2.9 hectares of native vegetation within the area hatched yellow on attached Plan 5226/1.

CONDITIONS

Nil.

A handwritten signature in black ink, appearing to read "M Warnock", written over a horizontal line.

M Warnock
SENIOR MANAGER
CLEARING REGULATION






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

8 May 2014

Plan 5226/1



LEGEND

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



0 150 m

Scale 1:6326
(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.

[Signature] Date 8/5/14
G.M. Warnock

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

1. Application details

1.1. Permit application details

Permit application No.: 5226/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Sims Metal Management

1.3. Property details

Property: LOT 100 ON PLAN 73740 (KWINANA BEACH 6167)
Local Government Area: City of Kwinana
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2.9		Mechanical Removal	Industrial

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 8 May 2014

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
Mapped Beard vegetation association 3048 is described as Shrublands; scrub-heath on the Swan Coastal Plain (Shepherd et al, 2001)	The clearing of 2.9 hectares of native vegetation within Lot 100 on Plan 73740, Kwinana Beach is for the purpose of constructing a metal recycling facility.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	The vegetation under application comprises of Eucalyptus gomphocephala (Tuart) trees over Acacia rostellifera, Acacia saligna and Xanthoria preissii with a dense ground cover of weeds (DEC, 2012). The application area is subject to past disturbances such as vehicle tracks, fire and rubbish dumping.
Mapped Beard vegetation association 998 is described as Medium woodland; tuart (Shepherd et al, 2001).		To	
Hedde vegetation complex: Cottesloe Complex Central and south Mosaic of woodland of Eucalyptus gomphocephala (Tuart) and open forest of Eucalyptus gomphocephala (Tuart) - Eucalyptus marginata (Jarrah) - Corymbia calophylla (Marri); closed heath on the Limestone outcrops (Hedde et al, 1980).		Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The vegetation to be cleared is considered to be in a completely degraded to good (Keighery, 1994) condition (DEC, 2012) with majority considered to be in a degraded (Keighery, 1994) condition (DEC, 2012).
			The condition and the description of the vegetation under application has been established through a site visit conducted by the former Department of Environment and Conservation on the 14 September 2012 (DEC, 2012) and aerial photography.

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments

Proposal is not likely to be at variance to this Principle

The amended application is for 2.9 hectares of native vegetation within Lot 100 on Plan 73740, Kwinana Beach for the purpose of constructing a metal recycling facility.

The vegetation under application comprises of Eucalyptus gomphocephala (Tuart) trees over Acacia rostellifera, Acacia saligna and Xanthoria preissii with a dense ground cover of weeds (DEC, 2012). A large percentage of the vegetation proposed to be cleared comprises of Acacia regrowth.

Several priority flora species have been recorded within the local area (10 kilometre radius). Most notable is a priority 4 species and priority 2 species mapped as occurring within the same vegetation and soil type as the application area. Given the condition of the vegetation and the dense cover of weeds within the application area, it is unlikely that any priority flora would be impacted upon from the proposed clearing.

A flora and fauna assessment of the application area was undertaken by Biota Environmental Sciences in 2003. The assessment recorded a total of 69 taxa, of which 24 species were native and was dominated by Acacia rostellifera, Acacia saligna, Eucalyptus gomphocephala and Xanthorrhoea preissii, with other native species scattered throughout the application area (Biota, 2010). The flora and fauna assessment did not record any priority or rare flora within the application area.

Considering a large proportion of the applicant area consists of Acacia regrowth with a dense ground cover of weed species, with majority of the vegetation is a degraded condition, the application is not likely to comprise of a high level of biodiversity.

The application is not likely to be at variance to this principle.

Methodology

References:

Biota 2003

DEC 2012

Keighery 1994

GIS Datasets:

- SAC Biodatabases

(b) Native 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.

Comments

Proposal is not likely to be at variance to this Principle

Several fauna species of conservation significance have been recorded in the local area. This includes Carnaby's Cockatoo (*Calyptorhynchus latirostris*), Forest Red-tailed Black-Cockatoo (*Calyptorhynchus banksii*) and Baudin's Cockatoo (*Calyptorhynchus baudinii*). All three species are listed as rare or likely to become extinct under the Wildlife Conservation Act 1950. Carnaby's Cockatoo is listed as endangered under Environment Protection and Biodiversity Conservation Act 1999, whilst Forest Red-tailed Black-Cockatoo and Baudin's Cockatoo are listed as vulnerable.

The application involves the removal of up to thirteen Tuart trees. A site inspection of the area under application undertaken by the former Department of Environment and Conservation (DEC, 2012) recorded no significant hollows within the trees to be removed. In addition to this, a Cockatoo breeding hollow survey of the trees within the application area was undertaken on the 17 September 2010. The survey identified that none of the trees within the application area contain hollows suitable for black cockatoos to breed in (ADC Projects, 2012).

The site inspection observed numerous rabbit holes and diggings as well as a possible fox den within the application area (DEC, 2012). The application area may be utilised by conservation significant fauna known to occur in the in the local area (10 kilometre radius). However the majority of vegetation within the application area is considered to be in a completely degraded (Keighery, 1994) condition (DEC, 2011) and is therefore unlikely to provide significant habitat for fauna.

The application is not likely to be at variance to this principle.

Methodology

References:

- DEC (2012)

- Keighery (1994)

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

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

Three species of rare flora have been recorded within the local area (10 kilometre radius).

The vegetation under application consists of Eucalyptus gomphocephala (Tuart) trees over Acacia rostellifera, Acacia saligna and Xanthorrhoea preissii and is not considered suitable habitat for the recorded rare flora species.

A flora and fauna assessment of the application area was undertaken by Biota Environmental Sciences in 2003 did not record any rare flora within the application area.

Considering the above along with the thick ground cover of weeds, the application is not likely to be at variance to this principle.

Methodology References
Biota (2003)

GIS Database:
- SAC Biodatasets

(d) Native 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.

Comments Proposal is not at variance to this Principle

Two threatened ecological communities (TEC) have been mapped within a 10 kilometre radius of the area under application. Critically Endangered TEC SCP19 - woodlands over sedgeland in Holocene dunes of the southern Swan Coastal Plain is located approximately 3.6 kilometres south of the area under application. Endangered TEC SCP26a - Limestone ridges - Melaleuca huegelii - Melaleuca acerosa (Currently Systema) shrublands on limestone ridges approximately 2.3 kilometres east of the area under application.

The vegetation under application consist of Eucalyptus gomphocephala (Tuart) trees over Acacia rostellifera, Acacia saligna and Xanthoria preissii with a dense thick ground cover of various weed species (DEC, 2012) and is not a representation of the mapped TEC's.

The application is not at variance to this principle.

Methodology References:
DEC 2012
GIS Databases
-SAC Bio Datasets

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

Comments Proposal is not at variance to this Principle

The vegetation under application is mapped as Beard vegetation associations 998 and 3048 which retain approximately 38 and 31 percent, of pre-European extent respectively (Government of Western Australia 2013). The application area is also mapped as comprising of Hedde vegetation complex, Cottesloe complex central and south which has 41 percent of its pre-European vegetation remaining.

The vegetation associations/complex represented within the application area retain more than the threshold level (30 percent) recommended in the National Objectives Targets for Biodiversity Conservation, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia 2001). In addition to this the Environmental Protection Authority (EPA) recognises the Perth Metropolitan Region as a constrained area, which provides for the reduction of vegetation complexes to a minimum of 10 per cent of the pre-European extent (EPA, 2006).

The local area (10 kilometre radius) retains approximately 40 percent of its pre-European vegetation extent.

The Swan Coastal Plain IBRA bioregion and the City of Kwinana have 39 and 38 percent respectively of their pre-European vegetation remaining.

A large proportion of the vegetation under application is in a completely degraded (Keighery, 1994) condition (DEC, 2012) and given that the local area, Shire, and mapped vegetation associations/complexes retain above the recommended threshold levels the area is not considered to be extensively cleared.

The application is not at variance to this principle.

	Pre-European (ha)	Current Extent (ha)	Remaining (%)	Extent in DEC Managed Lands (%)	
IBRA Bioregion Swan Coastal Plain	1,501,209	587,832	39	34	
Shire*					
City of Kwinana	11,998	4,597	38	9	
Beard Vegetation Association in Bioregion					
998	50,867	19,595	38.5	40.6	
3048	10,415	3,316	31	25	
Hedde Vegetation Complex					
Cottesloe Complex Central and South		44,995	18,474	41.1	8.8

Methodology References:
Commonwealth of Australia 2001
DEC 2012
EPA 2006
Government of Western Australia 2013
Hedde et al. 1980
Keighery 1994
GIS Databases:
- Hedde Vegetation Complexes
- NLWRA, Current extent of Native Vegetation
- Perth Metropolitan Central 15cm Orthomosaic - Landgate 2011
- Pre-European Vegetation

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

Comments **Proposal is not at variance to this Principle**
There have been no wetlands or watercourses mapped within the area under application. The closest wetland recorded to the application area is a resource enhancement wetland located approximately 800 metres away.
The application is not at variance to this principle.

Methodology GIS Datasets:
- Geomorphic Wetlands, Swan Coastal Plain
- Hydrography, Linear

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

Comments **Proposal is not likely to be at variance to this Principle**
The soil within the application area is described as an undulating dune landscape underlain by aeolianite which is frequently exposed; small swales of estuarine deposits are included: chief soils are siliceous sands with smaller areas of brown sands and leached sands in the wetter sites (Northcote et al 1960 - 1968).

The main land degradation risk associated with this sandy soil type is wind erosion.

The clearing of 2.9 hectares of native vegetation for the purpose of industrial development is not likely to result in appreciable land degradation.

The proposed clearing is not likely to be at variance to this principle.

Methodology References
-Northcote et al (1960-68)
GIS Databases
-Soils, statewide

(h) Native 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.

Comments Proposal is not at variance to this Principle

The closest conservation area to the application is Bush Forever site 349 located approximately 700 metres away. The Bush Forever site covers an area of 287 hectares. The vegetation under application and mapped Bush Forever site 349 are not connected and are separated by three roads and numerous tracks.

Considering the above the application is not at variance to this principle.

Methodology GIS Database:
- Bush Forever
- DEC Tenure

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

Comments Proposal is not at variance to this Principle

There are no watercourses or wetlands within the area proposed for clearing.

The groundwater salinity within the application area is 500-1000 milligrams per litre of Total Dissolved Solids. This level of groundwater salinity is considered to be marginal.

The application area does not occur within a Country Area Water Supply Act 1947 area or a Public Drinking Water Source Area.

Given the above, the proposed clearing is not at variance to this principle.

Methodology GIS Databases
-Soils, statewide
-Hydrography linear

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

Comments Proposal is not at variance to this Principle

There are no wetlands or watercourses mapped as occurring within the area under application. The closest watercourse recorded to the application area is a resource enhancement wetland located approximately 800 metres away from the application area.

Considering the above, along with the sandy nature of the soils within the application area the proposed clearing will not cause or exacerbate flooding.

The application is not at variance to this principle.

Methodology GIS Datasets:
- Geomorphic Wetlands, Swan Coastal Plain
- Hydrography, Linear
- Soils, Statewide

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

Comments

The property under application is currently being subdivided. The former Lot 14 is being subdivided and part of this will become Lot 100 Donaldson Road. SIMs Group Australia Holdings Limited hold a fully executed lease over Lot 100.

SIMs Group Australia Holdings Limited has applied for Works Approval. The Works Approval is in its final stages of assessment.

The applicant has been issued conditional Planning Approval under the Planning and Development Act 2005.

The application area is located within the Cockburn Groundwater area covered by the Rights in Water and Irrigation Act 1914. The Department of Water (2012) has advised that if the applicant intends to utilise the groundwater within the Lots, a licence is required under section 26D and 5C of the RIWI Act 1914. SIMS Metal Management does not currently have a licence for these properties and no applications have been received (DoW, 2012). The applicant has advised under section 10.2 of their development application report that they do not intend to utilise the groundwater underneath the properties for the application (ADC Projects, 2012)

The application area is zoned as General Industry under the Metropolitan Scheme Zone.

No public submissions have been received in response to this application.

Methodology	References
	- DoW (2012)
	- ADC Projects (2012)
	GIS Datasets:
	- RIWI Groundwater Area
	- Town Planning Scheme Zones

4. References

- ADC Projects (2012). Proposed Sims Metal Management Report Development Application Report. Additional information received within Clearing Permit Application CPS 5226/1, Sims Metal Group Australia (DEC Ref:A537784)
- Biota Environmental Sciences (2010 Sims Metal Development Site Flora and Fauna Assessment. Additional information received within Clearing Permit Application CPS 5226/1, Sims Metal Group Australia (DEC Ref:A537784)
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- DEC (2012) Site Inspection Report for Clearing Permit Application CPS 5226/1, Lot 14 and 150, Town of Kwinana. Site inspection undertaken 13 September 2012. Department of Environment and Conservation, Western Australia (TRIM Ref. DOC:A562594.
- DoW (2012) Information received in relation to Clearing Permit Application CPS 5226/1, Sims Metal Group Australia. Department of Water, Western Australia (DEC Ref:A549499)
- EPA (2006) Guidance for the Assessment of Environmental Factors - Level of Assessment for Proposals Affecting Natural Areas Within the System 6 Region and Swan Coastal Plain Portion of the System 1 Region. Guidance Statement No 10. Environmental Protection Authority, Western Australia.
- Government of Western Australia (2013) 2012 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2012. WA Department of Environment and Conservation, Perth.
- 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.
- Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68): 'Atlas of Australian Soils, Sheets 1 to 10, with explanatory data'. CSIRO and Melbourne University Press; Melbourne.
- 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.