

16 May 2024

Department of Water and Environmental Regulation
Locked Bag 10
Joondalup DC WA 6919
Submitted electronically to info@dwer.wa.gov.au

To Whom it May Concern

**Re: Amendment Application for Clearing Permit CPS 5319/1
Lot 265 Queelup Road (previously Ducane Road), North Boyanup**

The following is a request to amend Clearing Permit CPS 5319/1 (Purpose Permit), awarded on 8 January 2015, for the clearing of native vegetation on Lot 265 Queelup Road (previously Ducane Road) in North Boyanup for the purpose of sand extraction. The listed permit holders for the property are myself and Allmoon Nominees Pty Ltd, of which I am the Director. I also hold a Development Approval (DA) and an Extractive Industry Licence (EIL) from Shire of Capel; however, the DA/EIL boundaries have been modified and as a result, CPS 5319/1 also requires amending.

The current CPS 5319/1 Condition 3. *Area of Clearing* permits clearing of not more than 4.98 ha within a clearing envelope of approximately 32.15 ha. I do not seek to change the approved amount of native vegetation to be cleared, that will remain at a maximum of 4.98 ha. However, the clearing envelope is proposed to be modified (as per attached shapefile) and will cover a reduced area of 31.96 ha. This will require that Plan 5319/1 be updated to reflect the revised proposed purpose permit area and rehabilitation areas for the property.

The proposed changes to CPS 5319/1 are summarised as follows:

- That the duration of the permit and the timeframe for clearing works are extended by eight years to 2 October 2032 as extraction has progressed slower than originally anticipated in 2015.
- That conditions on revegetation are modified to align with the latest DA and to meet the targets in the and Rehabilitation Management and Monitoring Plan for Lot 265. Further details are provided in the clearing permit amendment application form and associated documentation.
- That the period stipulated under Condition 5 is extended to 2 October 2026, which should allow time for the remaining clearing to be completed.
- An extension to timeline in Condition 9(a) from 2 October 2019 to 2 October 2026 to allow time for the remaining clearing to be completed.
- An extension to timeline Condition 11(c) as appropriate and in keeping with the determination of any extension granted for this purpose permit.

Annual Environmental Reporting (AER) for 2015 to 2023 under the conditions of CPS 5319/1 has been submitted to DWER. with key points summarised as follows:

- To date, 2.98 ha of native vegetation has been cleared under the existing permit (see AER).
- Vegetation clearing has comprised of mostly upper and middle storey vegetation as only limited native understorey vegetation is present due to historical clearing and decades of grazing.
- The amount of clearing required has been minimised, in keeping with Condition 6 of CPS 5319/1, by avoiding vegetation in some of the lowest lying areas and around the main residential dwelling. An aerial photo series from 2018 to 2023 is provided in the AER.
- Revegetation and rehabilitation activities have been undertaken along the northern and northeastern boundaries of the property. Initial soil ripping and revegetation planting was undertaken in 2018 followed by infill works in 2022 and further revegetation in 2023 (see AER).

It is noted that revegetation activities have not been undertaken within the extraction area because, sand extraction has progressed slower than expected and the applicant has been pursuing DA/EIL amendments with the Shire of Capel.

Please direct any enquiries to Craig Carbone at craig.carbone@mgmgroup.com.au or 0499 970 171.

Yours sincerely



Mario Michele Giacci

cc: MGM Bulk Pty Ltd – Attention: Craig Carbone

Attachments provided via email / download facility only:

- Clearing permit amendment application form
- 2015 - 2023 Annual Environmental Report
- Copy of CPS 5319/1 with highlight for sections requiring changes
- Shapefiles for the proposed purpose permit area and the revegetation areas
- Certificate of Title
- Latest Development Approval and updated plans
- Rehabilitation Management and Monitoring Plan prepared to Shire of Capel requirements.